

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer**

Civil Action No.: 08-cv-00091-WDM-CBS

FTR - Reporter Deck - Courtroom A402

Date: June 17, 2009

Courtroom Deputy: Linda Kahoe

WAYNE WATSON, *et al.*,

Steven E. Crick

Plaintiffs,

v.

BIRDS EYE FOODS, INC.,

Bruce A. Menk

BUSH BOAKE ALLEN, INC.,

DILLON COMPANIES, INC.,

FLAVOR CONCEPTS, INC.,

FONA INTERNATIONAL, INC.,

Ronald B. Lee
Lisanne N. Leasure
Moira H. Pietrowski

GILSTER-MARY LEE CORPORATION,

GIVAUDAN FLAVORS CORP.,

INTER-AMERICAN-PRODUCTS, INC.,

INTERNATIONAL FLAVORS &
FRAGRANCES, INC.,

KROGER CO., THE,

Defendants,

FONA INTERNATIONAL,

Third Party Plaintiff,

ADVANCED BIOTECH,

BERJE, INC.,

CITRUS & ALLIED ESSENCES, LTD.,

Ryan Gill

O'LAUGHLIN INDUSTRIES, CO., LTD.,

Larry Bauer

PHOENIX AROMAS & ESSENTIAL OILS,

POLAROME INTERNATIONAL, INC.,

Daniel W. McGrath
Aimee E. Delaney

BRIDGEPOINT SYSTEMS, INC.,

CARPET TECHNOLOGIES, INC.,

SUN BRITE SERVICES CORPORATION,

Third Party Defendants.

COURTROOM MINUTES/MINUTE ORDER

HEARING: TELEPHONIC DISCOVERY CONFERENCE

Court in session: 8:33 a.m.

Court calls case. Appearances of counsel.

Discussion regarding the designation of a specific deponent for O'Laughlin for the deposition set for 6/22/09.

Discussion regarding the discovery deadline.

For the reasons as stated on the record, it is

ORDERED: The deposition set for 6/22/09 shall go forward. Fona shall order an expedited transcript of the deposition. Fona shall file a Response to Motion to Dismiss (doc #200) **on or before July 1, 2009.**

ORDERED: Consent Motion for Extension of Time to Respond to Discovery (doc #275, filed 6/11/2009) is **GRANTED**. O'Laughlin Industries shall serve complete and comprehensive responses to the written discovery at issue **on or before July 9, 2009.**

ORDERED: Third-Party Plaintiff Fona International, Inc.'s Unopposed Motion for Leave to File First Amended Third-Party Complaint and Jury Demand Against Diacetyl Suppliers (doc #277, filed 6/15/2009) is **GRANTED**. The First Amended Third-Party Complaint of Fona International, Inc. (doc #277-2) is deemed filed as of today's date.

ORDERED: Unopposed Motion for Leave to File Third-Party Complaint by Flavor Concepts, Inc. (doc #278, filed 6/15/2009) is **GRANTED**. Flavor Concepts, Inc.'s Third-Party Complaint (doc #278-2) is deemed filed as of today's date.

ORDERED: Plaintiff shall file a Response to Motion of Citrus & Allied Essences, Ltd. For Leave to File Third [Fourth] Party Complaint with Respect to Third-Party Complaint of Flavor Concepts, Inc. And Amended Third-Party Complaint of Fona International, Inc. (doc #282, filed 6/15/2009) **on or before July 6, 2009**.

ORDERED: Plaintiff shall file a Response to Motion for Extension of Time Through July 15, 2009 to File Amended Third [Fourth]-Party Complaint to Add Chemtura Corporation as Third [Fourth] Party Defendant (doc #283, filed 6/15/2009) **on or before July 6, 2009**.

ORDERED: Motion to Amend Answer to Third-Party Complaint of Fona International, Inc. (doc #288, filed 6/16/2009) is **GRANTED**. The Amended Answer to Third-Party Complaint of Fona International, Inc. is deemed filed as of today's date.

The court will set a Status Conference in late July. Counsel are required to be physically present.

HEARING CONCLUDED.

Court in recess: 9:06 a.m.

Total time in court: 00:33

To order transcripts of hearings with Magistrate Judge Shaffer, please contact Avery Woods Reporting at (303) 825-6119 or toll free at 1-800-962-3345.