

**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: January 21, 2010

Courtroom Deputy: Linda Kahoe

WAYNE WATSON, and
MARY WATSON,
Plaintiffs,

Andrew K. Smith
Steven E. Crick

v.

DILLON COMPANIES, INC.,
INTER-AMERICAN-PRODUCTS, INC.;
THE KROGER CO.,

Jason Melichar

BUSH BOAKE ALLEN, INC.,

Richard W. Pruett

GILSTER-MARY LEE CORPORATION,

Jason Melichar

INTERNATIONAL FLAVORS & FRAGRANCES, INC.,

Dan Jones
Richard W. Pruett

BIRDS EYE FOODS, INC.,

Kenneth J. Barish
Scott D. Stephenson
Darin J. Lang

JOHN DOE DEFENDANTS 9-20,
Defendants.

INTERNATIONAL FLAVORS & FRAGRANCES, INC.,
BUSH BOAKE ALLEN, INC.,
Third-Party Plaintiffs,

Dan Jones
Richard W. Pruett

v.

BRIDGEPOINT SYSTEMS, INC.,

Jesse O. Brant

CHEMICAL TECHNOLOGIES INTERNATIONAL, INC.,
Third-Party Defendants.

Tim Schulte

CITRUS & ALLIED ESSENCES, LTD.,
Third-Party Plaintiff

v.

CHEMTURA CANADA CO./CIE,
Third-Party Defendant.

GILSTER-MARY LEE CORPORATION,
Third-Party Plaintiff,

v.

BRIDGEPOINT SYSTEMS, INC.,
CARPET TECHNOLOGIES, INC.,
n/k/a CHEMICAL TECHNOLOGIES INTERNATIONAL, INC., and
JOHN DOE DEFENDANTS 1-10,
Third-Party Defendants.

Jesse O. Brant

FLAVOR CONCEPTS, INC.,
Third-Party Plaintiff,

Fredrick J. Ludwig

v.

BRIDGEPOINT SYSTEMS, INC.,

Jesse O. Brant

CARPET TECHNOLOGIES, INC.;
BERJE, INC., and
JOHN DOE DEFENDANTS 1-10,
Third-Party Defendants

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in session: 3:03 p.m.

Court calls case. Appearances of counsel.

Discussion and arguments regarding pending motions #462, #463, #466, and #467.

ORDERED: Defendant Birds Eye Foods, Inc.'s Motion for Leave to File Fourth Designation of Non-Parties at Fault Out of Time, doc #[462], filed 1/8/2010 is **GRANTED**.

ORDERED: Kroger Defendants' and Defendant Gilster-Mary Lee Corporation's Motion for Leave to File Third Designation of Non-Parties at Fault Out of Time, doc #[463], filed 1/8/2010 is **GRANTED**.

ORDERED: Defendant Bush Boake Allen, Inc.'s Motion for Leave to File Designation of Non-Parties at Fault Out of Time, doc #[466], filed 1/11/2010 is **GRANTED**.

ORDERED: Defendant International Flavors & Fragrances, Inc.'s Motion for Leave to File Designation of Non-Parties at Fault Out of Time, doc #[467], filed 1/11/2010 is **GRANTED**.

Discussion regarding Joint Motion of Birds Eye Foods, Inc. And Gilster-Mary Lee Corporation for Extension of Time to Designate Affirmative Experts, doc #[464], filed 1/8/2010.

ORDERED: The parties shall submit a comprehensive and final schedule of depositions,

including the dates the depositions will be taken and completed, no later than **5:00 p.m. on MONDAY, JANUARY 25, 2010**. **Based upon those dates, the court will set a new deadline for completing fact depositions. Once the new date for completing fact depositions is determined, the court will set a date certain by which affirmative experts will be designated and disclosures must be produced. The court will set a date certain by which rebuttal experts must be disclosed. No expert depositions will be taken until dispositive motions are filed and ruled on.**

ORDERED: Joint Motion of Birds Eye Foods, Inc. And Gilster-Mary Lee Corporation for Extension of Time to Designate Affirmative Experts, doc #[464] is **HELD IN ABEYANCE pending the court's review of the deposition schedule to be submitted on January 25th.**

HEARING CONCLUDED.

Court in recess: 3:56 p.m.

Total time in court: 00:53

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.