

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kristen L. Mix**

Civil Action No.: 08-cv-00761-WYD-KLM

FTR - Reporter Deck - Courtroom C-204
Byron G. Rogers United States Courthouse
Courtroom Deputy, Kathleen Finney

Date: March 20, 2009

RICHARD D. KELLAR,

Derek W. Cole

Plaintiff(s),

v.

UNITED STATES DEPARTMENT OF
VETERANS AFFAIRS,

Marcy E. Cook

Defendant(s),

DENEEN R. GAMMONS,

Pro Se

Interested Party.

COURTROOM MINUTES / MINUTE ORDER

HEARING: MOTIONS HEARING

Court in Session: 9:11 a.m.

Motions Hearing was scheduled for 9:00 a.m. Due to Plaintiff's counsel's failure to arrive on time, Court was delayed.

Court calls case. Appearance of counsel.

Motion Hearing is scheduled regarding Motion for Relief from Order (Docket No.56) [Docket No. 60, filed 2/20/2009].

Defendant's argument by Marcy E. Cook.

Plaintiff's argument by Derek W. Cole.

It is ORDERED: For the reasons set forth on the record, the Motion for Relief from Order [No. 60] is **DENIED**. Dr. Gammons shall produce all records in her possession

pertaining to Plaintiff to the Defendant's attorney **on or before March 23, 2009 at 5:00 p.m.** Failure to do so will subject Dr. Gammons to the imposition of sanctions, including sanctions for contempt.

It is ORDERED: Dr. Gammons shall file an itemization of her expenses incurred in producing the documents with the Court and provide a copy to the Defendant **no later than April 3, 2009.** The itemization shall include all expenses Dr. Gammons contends that she has incurred as a result of the order requiring production of the documents. **On or before April 13, 2009,** Defendant shall file a response to the itemization, indicating any objections thereto.

It is ORDERED: All documents produced by Dr. Gammons pursuant to this order, and all documents produced by any party that contain alleged trade secrets or other confidential information, shall be used solely for the purposes of this litigation. Any other use of the documents is not permitted, unless the Court issues an Order expressly permitting such other use.

HEARING CONCLUDES.

Court in recess: 9:39 a.m.

Total In-Court Time: 00:28

To order a transcript of this proceeding, contact Avery Woods Reporting at (303) 825-6119.