

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

Civil Action No.: 08-cv-00824-PAB-CBS
Date: August 10, 2010

FTR - Reporter Deck - Courtroom A402
Courtroom Deputy: Linda Kahoe

EVERPLAY INSTALLATION INC.,
ROLF HUBER,

Bryan E. Kuhn

Plaintiffs,

v.

ROGER JOSEPH GUINDON,

Susan Strebel Sperber

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in session: 10:02 a.m.

Court calls case. Appearances of counsel.

Discussion and arguments regarding Defendant's Motion to Compel Discovery and for Attorney's Fees and Costs and Certification of Compliance With Local Rule, doc #[54], filed 7/23/2010.

For the reasons as stated on the record, it is:

ORDERED: Defendant's Motion to Compel Discovery, doc #[54] is **GRANTED IN PART AND DENIED IN PART**. The Motion is **GRANTED** as it relates to requests for production #9, #10, #11, and #13. The Plaintiffs are **REQUIRED** to supplement their responses to those requests **WITHIN 5 BUSINESS DAYS OF TODAY'S DATE**. If documents are withheld on the basis of privilege, a privilege log must be produced. If in Plaintiffs' view, requests #9, #10, #11, and #13 seek documents that were previously produced, the Plaintiffs shall identify those previous productions by dates and specific Bates numbers. If the dates and specific Bates numbers cannot be identified, then Plaintiffs must produce the documents again. The Motion is **DENIED** to the extent that it challenges the response to request for production #12.

ORDERED: The Motion for Attorney's Fees and Costs, doc #[54], is **GRANTED**. Under Rule 26(g), Mr. Kuhn is required to pay defense counsel's firm \$500 in sanctions. Mr. Kuhn has 14 days from today's date to file objections to this ruling.

HEARING CONCLUDED.

Court in recess: 11:22 a.m.

Total time in court: 01:20

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