

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Kathleen M. Tafoya**

**Civil Action No.** 08-cv-00842-REB-KMT

FTR

**Date:** March 05, 2009

Debra Brown, Deputy Clerk

KATHIE BACH

Marc F. Bendinelli  
Rebecca Albano

Plaintiff.

v.

HYATT CORPORATION

Matthew Allan Holmes

Defendants.

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**COURTROOM MINUTES / MINUTE ORDER**

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**MOTIONS HEARING**

**Court in session: 10:50 a.m.**

Court calls case. Appearances of counsel.

Defendant's "Motion to Compel Discovery" [Document #23, filed October 31, 2009] at issue:

Statements by Mr. Holmes regarding Defendant's initial request from plaintiff to produce any diary or calendar she maintained as to the injuries sustained at the Hyatt.

Argument by Mr. Bendinelli.

Rebuttal by Mr. Holmes.

Court's findings and ruling:

**ORDERED:** Defendant's "Motion to Compel Discovery" [Document #23, filed October 31, 2009] is **GRANTED as follows:**

Plaintiff's Counsel may redact from the diary/calendar personal or irrelevant items such as the husband's travel plans from the diary/calendar. Counsel shall make a good faith assessment concerning information relevant and discoverable as to plaintiff's injuries. Plaintiff's Counsel shall provide the redacted diary/calendar to the Defendants and file an appropriate Motion for Protective Order and proposed Protective Order on or before **March 15, 2009**.

Defendant's "Motion to Compel Production of Executed Release Authorizations" [Document #37, filed January 22, 2009] at issue:

Statements by Mr. Holmes regarding medical requested release authorizations and medical records from Plaintiff.

Argument by Mr. Bendinelli and documents tendered for the Court's review.

Court returns tendered documents to Mr. Bendinelli.

Rebuttal by Mr. Holmes.

Sur-Rebuttal by Mr. Bendinelli.

Court's finding and ruling:.

**ORDERED:** Defendant's "Motion to Compel Production of Executed Release Authorizations" [Document #37, filed January 22, 2009] is **TAKEN UNDER ADVISEMENT**. The Court will issue a written order.

**Court in recess: 12:20 p.m.**

Total In-Court Time 1:30 ; hearing concluded

\*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.