

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
MAGISTRATE JUDGE MICHAEL E. HEGARTY

Civil Action No. 08-cv-00845-PAB-MEH
Courtroom Deputy: Cathy Coomes

Date: March 24, 2010
FTR – Courtroom C203

SYLVIA M. ASTEN,

Plaintiff,

Terry Wallace

vs.

CITY OF BOULDER,
PATRICK COMPTON, and
JEREMY FRENZEN,

Katherine M. L. Pratt
L. Douglas Jewell

Defendants.

COURTROOM MINUTES/MINUTE ORDER

EVIDENTIARY HEARING – Plaintiff’s Motion to Compel Defendant to answer certain interrogatories, to strike certain of Defendants’ affirmative defenses, and for sanctions against Defendants for spoliation of evidence (Doc. #38, filed 1/25/10); and Defendants’ Motion to Compel Discovery Responses (Doc. #54, filed 3/15/10)

Court in session: 8:15 a.m.

Court calls case. Appearances of counsel.

Argument and discussion regarding Plaintiff’s Motion to Compel Defendant to answer certain interrogatories, to strike certain of Defendants’ affirmative defenses, and for sanctions against Defendants for spoliation of evidence (Doc. #38, filed 1/25/10). Plaintiff’s Exhibit 1 is tendered to the Court.

8:50 a.m. Commander Ron Gosage is sworn, cross-examined by Mr. Wallace, and questioned by the Court.
Plaintiff’s Exhibit 2 is identified and admitted. Plaintiff’s Exhibit 1 is admitted.

9:01 a.m. Commander Ron Gosage is excused.

9:09 a.m. Sergeant Jeff Kessler is sworn, cross-examined by Mr. Wallace, questioned by the Court, and examined by Ms. Pratt.
Defendants’ Exhibits B and A are identified.

9:24 a.m. Sergeant Jeff Kessler is excused.

Further argument and discuss regarding Plaintiff's Motions (Doc. #38).

Argument and discussion regarding Defendants' Motion to Compel Discovery Responses (Doc. #54, filed 3/15/10).

Discussion regarding the signature page and service of the written discovery responses.

ORDERED: As stated on the record, Plaintiff's Motion to Compel Defendant to answer certain interrogatories, to strike certain of Defendants' affirmative defenses, and for sanctions against Defendants for spoliation of evidence (Doc. #38, filed 1/25/10); **and** Defendants' Motion to Compel Discovery Responses (Doc. #54, filed 3/15/10) **are GRANTED in part and DENIED in part.**

Court in recess: 10:00 a.m. (Hearing concluded)

Total time in court: 1:45