

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

Civil Action No.: 08-cv-00867-MSK-KLM

Date: February 12, 2009

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

MEDCORP, INC.

Steven A. Gibson

Plaintiff(s),
v.
PINPOINT TECHNOLOGIES, INC., and
ZOLL DATA SYSTEMS, INC. James Gordon Sawtelle
Mary Virginia Sooter
Laura A. Hutchings

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: TELEPHONIC MOTIONS HEARING

Court in Session: 11:06 a.m.

Court calls case. Telephone appearance of counsel.

Hearing held on Defendants' Emergency Motion for Relief From Discovery Violations and Request for Forthwith Hearing [Docket No. 59, filed 2/11/2009] and Plaintiff's Opposition to Defendants' Emergency Motion [Docket No. 63, filed 2/12/2009].

Court hears arguments of counsel relating to Defendants' Request for Entry Onto Premises for Purposes of Inspection and Copying [#59-2]. The MOTION [Docket No. 59, filed 2/11/2009] is **GRANTED** and the Court orders as follows:

On or before February 26, 2009, the parties shall prepare and file a Joint Proposed Discovery Order setting forth the following:

1. A reasonable methodology as unintrusive as possible to Plaintiff and its business operations and a reasonable time frame for Defendants to create mirror image copies of Plaintiff's servers, personal computers and network components on which Defendant Zoll Data Systems, Inc.'s software now resides or has previously resided, which now use or have previously used such software, and over which such software, data or communications was or is conveyed (the "Mirror Images").

2. A reasonable time frame for Plaintiff to create a privilege log, in accordance with Fed. R. Civ. P. 26(b)(5)(A), regarding documents or information contained on the Mirror Images, for Defendants to review the privilege log, and for any disputes regarding alleged privileged documents to be resolved by the parties or the Court, if necessary;
3. The parties' agreement that Defendants shall not access the Mirror Images or permit access to them by Defendants' experts until such time as all disputes, if any, regarding the privilege log are resolved, and that Defendants at no time shall access or review privileged documents contained on the Mirror Images; and
4. Extensions of all case deadlines necessary to accommodate the above.

The Joint Proposed Discovery Order shall contain a signature line for the Court.

HEARING CONCLUDES.

Court in recess: 11:54 a.m.
Total In-Court Time: 00:48