

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-01613-RPM

TAYLOR BEAN & WHITAKER MORTGAGE CORP.,  
A Florida corporation,

Plaintiff,

v.

CLARION MORTGAGE CAPITAL, INC., a Colorado corporation,  
NATIONAL CITY MORTGAGE COMPANY, AN Ohio corporation,  
UPSTREET DEVELOPMENT, LLC., a Colorado limited liability company,  
JON C. THOMPSON, individually,  
LEGACY CONSTRUCTION SERVICES, LLC., a Colorado limited liability company,  
CHRIS FOSTER, individually,  
JAMES BARNETT, individually,  
JEWELS DEVELOPMENT AND CONSTRUCTION SERVICES, LLC,  
a Colorado limited liability company,  
CURT KARLEN, individually and  
BRYCE MOEDER, individually,

Defendants.

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ORDER DENYING PLAINTIFF'S MOTION TO QUASH SUBPOENA AND FOR PROTECTIVE  
ORDER

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Upon consideration of the Plaintiff's Motion to Quash Subpoena and for Protective Order [78], filed February 17, 2009, and the response of National City Mortgage Company, filed February 24, 2009, it is

ORDERED that the Plaintiff's motion is denied.

DATED: February 25<sup>th</sup>, 2009

BY THE COURT:

s/Richard Matsch

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Richard P. Matsch, Senior District Judge