

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

**Civil Action No.: 08-cv-01673-CMA-CBS**  
**Date: May 21, 2009**

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

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JONATHAN FLINT,  
  
Plaintiff,

James Garrett Heckbert

v.

NAVISTAR, INC.,  
  
Defendant.

Kristin Anderson  
Timothy G. O'Neill  
David Canter

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**COURTROOM MINUTES/MINUTE ORDER**

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**HEARING: MOTIONS HEARING**

**Court in session: 3:26 p.m.**

Court calls case. Appearances of counsel.

Counsel present arguments regarding Plaintiff's Motion for the Entry of Default Against the Defendant Navistar, or in the Alternative, To Compel Discovery, for Sanctions, and to Extend Scheduling Order Deadlines (doc #38, filed 4/1/2009).

The court requests that Plaintiff submit a complete set of interrogatories and the responses to the interrogatories at issue in Plaintiff's Motion.

**ORDERED:** Plaintiff's Motion for the Entry of Default Against the Defendant Navistar, or in the Alternative, To Compel Discovery, for Sanctions, and to Extend Scheduling Order Deadlines (doc #38, filed 4/1/2009) is held in **ABEYANCE**.

**ORDERED:** Parties shall hold a Rule 30(b)(6) deposition within 30 days of today's date at a time and place that is most cost-effective for the parties. Counsel shall contact the court (303.844.2117) within 72 hours after the deposition is completed to schedule a Status Conference to reset expert deadlines and to address the impact of the Rule 30(b)(6) deposition on Plaintiff's Motion for the Entry of Default Against the Defendant Navistar, or in the Alternative, To Compel Discovery, for Sanctions, and to Extend Scheduling Order Deadlines.

**ORDERED:** The deadlines for designating expert disclosures are **VACATED**.

Counsel present arguments regarding Plaintiff's Motion to Compel Production of Documents (doc #41, filed 4/7/2009).

**ORDERED:** Plaintiff's Motion to Compel Production of Documents (doc #41, filed 4/7/2009) is **GRANTED** in part and **DENIED** in part. The Motion is granted to the extent that the Defendant is required to prepare a new and complete privilege log within 7 business days of today's date. The Motion is denied in all other respects.

**ORDERED:** Pursuant to Rule 37, Plaintiff is awarded fees and costs in the amount of \$500.00. Defendant Navistar is required to pay fees and costs in the amount of \$500.00 to Plaintiff.

Counsel present arguments regarding Defendant Navistar's Motion for Protective Order Regarding the Unigraphics System (doc #50, filed 5/4/2009).

**ORDERED:** Defendant Navistar's Motion for Protective Order Regarding the Unigraphics System (doc #50, filed 5/4/2009) is **GRANTED**.

HEARING CONCLUDED.

**Court in recess: 5:36 p.m.**

Total time in court: 02:10

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