

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch**

Date: June 4, 2010
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 08-cv-01833-RPM

ESMERALDA CASTANEDA, et al.,

Robert J. Camp

Plaintiffs,

v.

SWIFT BEEF COMPANY, et al.,

Walter V. Siebert
Kelly K. Robinson

Defendants.

COURTROOM MINUTES

Scheduling Conference

9:53 a.m. Court in session.

Court states its understanding of the case.

Court finds the issue of when the work day begins is not covered by the CBA and is a legal question.

ORDERED: Defendant JBS USA, L.L.C.'s Motion to Compel Arbitration, filed May 27, 2010 [40], is denied.

Discussion regarding the union and CBA.
Counsel state a new CBA has been voted on and adopted.

Discussion regarding discovery and notice.

Court states it approves the defendants' proposed notice Exhibit E.

Counsel agree that notice will be translated in English, Spanish and Somali using agreed interpreters.

Counsel further agree that defendant will provide a **mailing list** to include names, job classification and last known addresses.

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Court instructs counsel to confer regarding 30(b)(6) depositions (subclasses, representatives, identification of areas and documents).

Counsel also agree to bifurcation for discovery and trial regarding liability and damages.

**ORDERED: Deadline to provide mailing list July 6, 2010 (30 days).
 Notice period 90 days.
 Consents shall be filed individually pursuant to the statute.
 Caption modified as indicated above.
 7 to 8 day trial set February 28, 2011.
 Revised proposed scheduling order to be submitted by June 11, 2010.**

10:32 a.m. Court in recess.

Hearing concluded. Total time: 39 min.