

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Michael J. Watanabe**

**Civil Action No.** 08-cv-01849-PAB-MJW

FTR - Courtroom A-502

**Date:** September 14, 2009

Courtroom Deputy, Ellen E. Miller

STACEY GORDANIER,  
Plaintiff(s),

Lynne M. Sholler

v.

MONTEZUMA WATER COMPANY,  
a non-profit corporation, and  
MICHAEL BAUER,  
an individual,  
Defendant(s).

Michael J. Mirabella

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**COURTROOM MINUTES / MINUTE ORDER**

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**HEARING: MOTION HEARING**

**Court in Session:** 8:36 a.m.

Court calls case. Time set for the Motion Hearing is 8:30 a.m. Court has waited to call the case to allow time for appearance of defense counsel. Appearances of counsel.

Court raises Plaintiff's Motion to Compel Discovery and Amend Scheduling Order to Include Electronic Discovery Plan [Docket No. 58, Filed June 16, 2009] for argument.

Argument by Ms. Sholler.

Response by Mr. Mirabella

Rebuttal by Ms. Sholler.

Plaintiff supplements her motion by tendering excerpts of depositions of Michael Bauer, Leanne Codding, Stacy Gordanier, Todd Starr, and Tad Willbanks. The Court directs that the excerpts be made part of the court record, and shall be filed by the Courtroom Deputy. Defendant shall have to and including SEPTEMBER 17, 2009 within which to file any responsive excerpts.

**It is ORDERED:** Plaintiff's MOTION TO COMPEL DISCOVERY AND AMEND SCHEDULING ORDER TO INCLUDE ELECTRONIC DISCOVERY PLAN [Docket No. 58, Filed June 16, 2009] is **TAKEN UNDER ADVISEMENT**. The court will issue its written Order.

In its written Order, the Court will also address Docket No. 89, Filed August 17, 2009 Plaintiff's SECOND MOTION FOR LEAVE TO FILE MOTION FOR SUMMARY JUDGMENT and Docket No. 79, filed July 31, 2009 Plaintiff's MOTION FOR LEAVE TO AMEND COMPLAINT TO CONFORM TO EVIDENCE OBTAINED IN DISCOVERY.

Hearing concluded.

**Court in recess:** 9:23 a.m.

Total In-Court Time 00: 47

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