

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Laird T. Milburn

Civil Action No. 08-cv-01957-MSK-LTM
Date: April 14, 2009

Deputy: M. Spolar
Recorder: FTR LTM AM

KEN W. VESTER,

Paul Miller

Plaintiff,

v.

ASSET ACCEPTANCE, LLC,

Steve Wienczkowski

Defendant.

STATUS CONFERENCE

Court in Session: 10:00 a.m.

Court calls case and appearances of counsel. By phone Steven Wienczkowski for Defendant. In person Paul Miller for Plaintiff.

Motions considered:

(docket # 63) Plaintiff's Motion for Extension fo Time and Modification of Scheduling Order.

(docket # 65) Defendants' Motion to Compel Discovery Responses.

Court heard argument of counsel and response argument.

Court recess: 10:49 a.m.

Court reconvene: 11:37 a.m.

Court heard argument of counsel and response argument.

Court's comments.

ORDERED: Plaintiff's shall on or before April 16, 2009 revise and supplement its request for the production of documents from Defendant relating to the "Household account" and "Providian" account, "more specifically described in the record" and, it is further ORDERED that Defendant shall have until April 27, 2009 to file its response to Plaintiff's request and thereafter Plaintiff shall file a "Status Report, containing the

Defendant's supplementation and objections thereto" on or before April 29, 2009. (2) Should the motion thereafter remain unresolved additional proceedings, as needed, will be conducted.

ORDERED: Defendant's Motion to Compel Discovery from Plaintiff is granted in part, specifically that Plaintiff shall on or before April 24, 2009 supplement its discovery responses to Defendant's first set of interrogatories, request for production of documents and admissions, dated January 18, 2009 by (1) furnishing copies of all of his banking records that are in his possession or control for the past ten (10) years, and/or providing a release to Defendant allowing him to obtain such records that are not in Plaintiff's possession or control, and in addition provide supplemental answers to Defendant's interrogatories numbered 3, 4, 6, 7, 9, 10, 17, 19, and 20. Thereafter, Defendant shall file a status report with the Court on or before April 30, which also shall contain any objections or additions thereto as Plaintiff may request, thereby informing the Court whether or not there is a continuing dispute between the parties regarding Plaintiff's motion to compel discovery.

ORDERED: Plaintiff nor Defendant shall be awarded fees or costs associated with filing of either motion.

ORDERED: Paragraph 8 of the Scheduling Order entered in this case (docket # 25) is amended so that the deadline for the joinder of parties and the discovery cutoff shall now be May 4, 2009.

Hearing Concluded
Court in Recess: 12:58 p.m.

Time in Court: 2 hours, 9 minutes