

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 08-cv-01998-MSK-KMT

FTR

Date: July 13, 2009

Debra Brown, Deputy Clerk

JOANNA MARTIN

Sean Michael McCurdy
Kent E. Eichstadt

Plaintiffs.

v.

SEARS, ROEBUCK AND CO.

Erin Ashley Webber
Stephanie L. Hankin

Defendants.

COURTROOM MINUTES / MINUTE ORDER

MOTION HEARING

Court in Session: 8:57 a.m.

Court calls case. Appearance of counsel.

Plaintiffs' First MOTION to Compel Discovery [Document #21, filed May 20, 2009] is granted in part as follows:

All discovery requests concerning the net worth of Sears and Sears Holding Co.
Argument of Counsel.

ORDERED: The Court has determined that Defendant's documents and information provided is adequate and the motion to compel on this issue is denied. The Defendant agrees that as to the financial documents downloaded from www.searsholdings.com/invest/financial_info.htm the Defendant stipulated to authenticity and to other foundational objections however it reserves its right to raise relevancy objections at trial.

Interrogatory No. 18, Gross Compensation of Don Strand
Argument of Counsel.

ORDERED: The Court will allow plaintiff to inquire as to the salary, inclusive of extras, i.e., bonuses, stock options, etc., of employee Don Strand. However all material disclosed will be considered "Attorneys Eyes Only" information and subject to the Protective Order. The motion to compel as to this issue is granted with those limitations. No fees will be awarded either side in regard to this motion.

Court in recess: 9:34 a.m. Total In-Court Time 0:37; hearing concluded.