

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 08-cv-02772-MSK-MJW

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, a Wisconsin corporation,

Plaintiff,

vs.

BARRY G. GUSTAFSON, a resident of Colorado,

Defendant.

ORDER

THIS MATTER having come before the Court on the Parties' STIPULATED MOTION TO EXPEDITE DISCOVERY, and the Court having reviewed the same and being advised in the premises,

IT IS HEREBY ORDERED that discovery shall proceed as follows:

- Forensic investigation. The Parties agree that forensic electronic discovery may be necessary by both sides. In particular, American Family seeks to conduct and investigation of Gustafson's personal/business computer, and Gustafson seeks to conduct an investigation of the American Family computer or computers assigned to him. The Parties agree that each side shall be entitled to create a mirror image of the hard drives of said computers for the purpose of preserving them for investigation, and that the Parties shall further confer with regard to parameters for those investigations, so that the investigations do not infringe upon any

Parties' confidential or privileged information or information not relevant to this litigation. The mirror images shall be completed on or before January 30, 2009, or such later date as the Parties agree upon. If the Parties cannot agree to parameters for the forensic investigation of those hard drives, the Parties shall file a motion with the Court no later than February 6, 2009.

- Rule 26(a) Disclosures. The parties shall make initial disclosures, pursuant to Fed. R. Civ. P. 26(a) no later than January 30, 2009.
- Written Discovery Requests. The Parties shall be entitled to submit initial written discovery, with presumptive limits contained in the Federal Rules of Civil Procedure, such that responses are due no later than April 1, 2009.
- Depositions. The parties shall complete up to three depositions per party by May 1, 2009. Nothing herein shall preclude either party from taking additional depositions after May 1, 2009, but before the final discovery cutoff. Nothing herein is intended to alter the presumptive or any court ordered limits on the number of depositions that either side may take.
- Discovery deadline. All discovery deemed to be necessary for the preliminary injunction will be complete on May 1, 2009. The discovery cutoff for the case shall be set forth in the Scheduling Order completed by the Parties in compliance with the Court's Order of January 8, 2009, and nothing herein is intended to mandate that all discovery in the case be conducted by the May 1, 2009 date.

Dated this 2nd Day of February, 2009.

BY THE COURT:

s/Michael J. Watanabe
Michael J. Watanabe
United States Magistrate Judge