

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

Date: November 12, 2009
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 09-cv-00735-RPM

TOMMY DURANT, Andrew T. Brake

Plaintiff,

v.

MILLERCOORS, LLC., Raymond M. Deeny
Defendant. Edward J. Butler

COURTROOM MINUTES

Hearing on Motions to Compel and for Sanctions

10:56 a.m. Court in session.

Court's preliminary remarks and states its understanding of the pending motions.

10:58 a.m. Argument by Mr. Butler.

10:59 a.m. Argument by Mr. Brake.

Court admonishes counsel regarding deposition behavior.

ORDERED: Any further deposition of the plaintiff will be by written questions in accordance with Rule 31 before Magistrate Judge Watanabe. Any specific records to be requested to be used shall be specifically identified. Any use of the transcript of the plaintiff's deposition at trial will first be approved by the Court.

ORDERED: Plaintiff's Motion for Sanctions Concerning Abusive Deposition Conduct, filed October 13, 2009 [16], is denied.

ORDERED: Defendant's Motion to Compel and for Sanctions, filed October 29, 2009 [18], is granted for a deposition under Rule 31 and denied for sanctions.

10:04 a.m. Court in recess. Hearing concluded. Total time: 8 min.