

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer**

Civil Action No.: 09-cv-00908-WYD-CBS
Date: September 15, 2010

FTR - Reporter Deck - Courtroom A402
Courtroom Deputy: Linda Kahoe

GLORIA HUIZAR,

Timothy D. Edstrom

Plaintiff,

v.

LEPRINO FOODS,

William C. Brittan

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in session: 10:46 a.m.

Court calls case. Appearances of counsel. *Also present is Ms. Karen McTavish, representative from Leprino Foods; and Karen Yupanqui-Sherman, Interpreter.*

Discussion and arguments regarding Defendant Leprino Foods Company's Motion to Compel and for Sanctions, doc #[39], filed 5/27/2010.

ORDERED: Defendant Leprino Foods Company's Motion to Compel and for Sanctions, doc #[39] is **GRANTED**. Plaintiff shall fully respond to Defendant's written discovery no later than **MONDAY, SEPTEMBER 20, 2010**. Attorney's fees and costs will be awarded. Defendant shall file a Bill of Costs **WITHIN 10 DAYS OF TODAY'S DATE**. Plaintiff is required to respond to the Bill of Costs within **10 DAYS** thereafter.

Discussion and arguments regarding Defendant Leprino Foods Company's Motion for Award of Attorneys' Fees and Costs for Plaintiff's and Her Counsel's Failure to Appear at Hearing, doc #[41], filed 6/2/2010.

ORDERED: Defendant Leprino Foods Company's Motion for Award of Attorneys' Fees and Costs for Plaintiff's and Her Counsel's Failure to Appear at Hearing, doc #[41] is **GRANTED**. Ms. Huizar and her former counsel are jointly and severally responsible for paying sanctions of \$465 to Defendant **WITHIN 30 DAYS OF TODAY'S DATE**.

Discussion and arguments regarding Defendant Leprino Foods Company's Motion for Sanctions for Plaintiff's Failure to Appear at Deposition, doc #[52], filed 6/18/2010.

ORDERED: Defendant Leprino Foods Company's Motion for Sanctions for Plaintiff's Failure to Appear at Deposition, doc #[52] is **GRANTED**. Sanctions are awarded in the amount of \$320 for the interpreter cancellation fee. Ms. Huizar is required to pay the sanctions within **30 DAYS OF TODAY'S DATE**. The Motion is **DENIED** in all other respects.

Discussion and arguments regarding Defendant Leprino Foods Company's Motion to Strike Plaintiff's Supplemental Rule 26 Disclosures and to Bar, doc #[54], filed 6/18/2010.

ORDERED: Defendant Leprino Foods Company's Motion to Strike Plaintiff's Supplemental Rule 26 Disclosures and to Bar, doc #[54] is **GRANTED**. Defendant is allowed to reopen Ms. Huizar's deposition and to question Ms. Huizar on the newly disclosed information. The deposition shall be limited to 2 hours. Plaintiff shall be responsible for paying the costs of attorney time, court reporter time, and interpreter fees.

The court states that the rulings today do not preclude the parties from filing additional motions.

Discussion regarding a new date for a Final Pretrial Conference.

ORDERED: A Status Conference is set for Monday, **NOVEMBER 1, 2010 at 11:30 a.m.**
The purpose of the Status Conference is to discuss the progress of discovery and to set a date for the Final Pretrial Conference.

Mr. Brittan states that the Order to Show Cause, #[51], issued on June 16, 2010 is still pending.

ORDERED: The Order to Show Cause, doc #[51], is **VACATED**.

HEARING CONCLUDED.

Court in recess: 11:35 a.m.
Total time in court: 00:49

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