

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

Date: January 5, 2010  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

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Civil Action No. 09-cv-02051-RPM

GEA POWER COOLING SYSTEMS, LLC,  
a Delaware limited liability company,  
as successor in interest to  
GEA POWER COOLING SYSTEMS, INC.,  
a Delaware corporation,

Plaintiff,

v.

BECHTEL POWER CORPORATION,  
a Nevada corporation,

Defendant.

Thomas C. Bell  
Judith Lifschitz  
Michelle M. Meyer

Joseph C. Smith, Jr.  
Alison G. Wheeler

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**COURTROOM MINUTES**

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**Scheduling Conference**

**1:55 p.m. Court in session.**

Court reviews proposed scheduling order and counsel answer questions.

Mr. Lifschitz states the arbitration proceeding was between the owner and Bechtel before a three person panel. Findings and conclusions were made.

**ORDERED: GEA's Partial Motion to Dismiss, filed November 25, 2009 [20], is denied. Bechtel's Motion to Dismiss the Second and Third Claims for Relief in GEA's First Amended Complaint, filed December 3, 2009 [23], is denied.**

Mr. Bell states he anticipates there may be designations of non-parties at fault.

Court states that electronic discovery disputes may be referred to a magistrate judge or special master.

Counsel are preparing an electronic discovery order following Sedona principles.

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Court advises counsel to comply with Local Rules 7.2 and 7.3 with respect to any proposed protective order.

**ORDERED: Status Conference scheduled August 12, 2010.  
Status report due August 5, 2010.**

Mr. Bell states plaintiff withdraws its claim for declaratory judgment.

**ORDERED: Plaintiff's claim for declaratory judgment is withdrawn.**

**ORDERED: Responsive pleadings are due by January 15, 2010.**

**Court instructs counsel to submit any proposed protective and electronic discovery orders in paper directly to chambers.**

**ORDERED: Scheduling Order approved.**

**2:29 p.m. Court in recess.**

Hearing concluded. Total time: 34 min.