

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Michael J. Watanabe**

**Civil Action No.** 09-cv-02293-MSK-MJW

FTR - Courtroom A-502

**Date:** May 10, 2010

Courtroom Deputy, Ellen E. Miller

Parties

A-W LAND CO., LLC,  
VERNON JESSER,  
MARY JESSER,  
KENT J. MCDANIEL,  
DEANNA R. MCDANIEL,  
MARVIN BAY, and  
MILDRED BAY,  
Co-Trustees of the Bay Family Trust,  
individually and on behalf of all others  
similarly situated,

Plaintiff(s),

v.

ANADARKO E & P COMPANY, LP  
f/k/a RME PETROLEUM COMPANY, and  
ANADARKO LAND CORPORATION,  
f/k/a RME LAND CORP.,

Defendant(s).

Counsel

Stacy A. Burrows  
Lance F. Astrella  
George A. Barton

Gail L. Wurtzler  
Thomas P. Johnson

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**COURTROOM MINUTES / MINUTE ORDER**

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**HEARING: TELEPHONIC MOTION HEARING**

**Court in Session:** 9:40 a.m.

Court calls case. Appearances of counsel.

The Court raises Plaintiffs' Motion to Compel Discovery for argument.

Argument by Stacy Burrows on behalf of plaintiff.

Argument by Gail Wurtzler on behalf of defendant.

The Court notes the motion addresses four different areas and orders as follows:

**It is ORDERED:** Plaintiff's MOTION TO COMPEL DISCOVERY [Docket No. 43, Filed March 29, 2010] is **GRANTED IN PART** and **DENIED IN PART**.

09-cv-02293-MSK-MJW  
Telephonic Motion Hearing re: Docket No. 43  
May 10, 2010

As to "Issue 1 e-mails" : The Motion is granted. Anadarko shall produce e-mails between Mr. Liebl and Mr. McPhail between 2000 and 2001 and a Privilege Log **on or before JUNE 18, 2010.**

As to "Issue 2 Surface area agreement" : The Motion is denied, in that defendant represents to the Court that it continues to work on the Privilege Log. The Privilege Log shall be completed **on or before MAY 21, 2010.**

As to "Issue 3 Surface area agreement copies" : The Motion is denied, in that the request has been satisfied subject to further review by plaintiff.

As to "Issue 4 System searches" : The Motion is denied, in that the request has been satisfied subject to further review by plaintiff.

Plaintiff's request to set a hearing on the motion for class certification is denied at this time. A hearing may be set in due course.

Hearing concluded.

**Court in recess:** 10:07 a.m.  
Total In-Court Time 00:27

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