

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 09-cv-02858-CMA-BNB

ILONA KIRZHNER,

Plaintiff,

v.

DAVID SILVERSTEIN,
EVERGREEN INDUSTRIES, INC., a Colorado corporation, f/k/a Breakthrough Management
Group International, Inc., f/k/a Breakthrough Management Group, Inc.,
DAVID SILVERSTEIN INVESTMENTS, LLC, a Colorado limited liability company, and
DSI INVESTMENTS, LLC, a Colorado limited liability company,

Defendants.

ORDER

This matter arises on **Defendants' Joint Motion for Sanctions, for an Order Compelling the Disclosure of Off-Record Discussions With the Witness and Compelling the Continued Deposition of Timothy J. Schafer** [Doc. # 90, filed 12/3/2010] (the "Motion for Sanctions"). I held a hearing on the Motion for Sanctions yesterday and made rulings on the record, which are incorporated here. In summary and for the reasons stated on the record:

IT IS ORDERED that the Motion for Sanctions is GRANTED IN PART and DENIED IN PART as follows:

- GRANTED to require the continued deposition of Timothy J. Schafer, which shall occur in my jury suite at a date and time as the parties may agree; and
- DENIED in all other respects.

Dated December 17, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge