

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

Civil Action No. 10-cv-000340-RPM-BNB

STEVEN MASONER, et al.,

Plaintiff,

v.

WELLS FARGO BANK NATIONAL ASSOCIATION,
THE BANK OF NEW YORK MELLON CORPORATION, and
JOHN DOES 1-20,

Defendants.

ORDER

This matter arises on a **Motion to Quash Subpoena Duces Tecum, Or In the Alternative, for Protective Order** [Doc. # 1, filed 2/17/2010] (the “Motion to Quash”). I held a hearing on the Motion to Quash this morning 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 to Quash [Doc. # 1] is DENIED.

IT IS FURTHER ORDERED that the parties shall conduct a further conference pursuant to D.C.COLO.LCivR 7.1A concerning relevancy. The Rule 7.1A conference shall be conducted in person or by telephone; must comply with the requirements of Hoelzel v. First Select Corp., 214 F.R.D. 634 (D. Colo. 2003); and shall be completed no later than **March 31, 2010**.

IT IS FURTHER ORDERED that documents responsive to the subpoena duces tecum and created before August 18, 2009, and a privilege log for any documents created before August 18, 2010, but withheld from production based upon any claim of privilege or immunity,

shall be produced on or before **April 16, 2010**. All documents responsive to the subpoena duces tecum and create on or after August 18, 2010, and a privilege log for any documents created on or after August 18, 2010, but withheld from production based upon any claim of privilege or immunity, shall be produced on or before **May 17, 2010**.

IT IS FURTHER ORDERED that the request of defendants Bank of New York Mellon and Wells Fargo Bank that “any protective order entered not restrict Defendants BNYM’s and Wells Fargo’s right to seek future discovery from Waverton” is DENIED as stated on the record.

IT IS FURTHER ORDERED that I will consider any blanket protective order which the parties may present with the intention of minimizing burden and maximizing judicial economy concerning the possible use in related actions of any documents produced in this action.

Dated March 23, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge