

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Kathleen M. Tafoya**

**Civil Action No. 10-cv-00487-CMA-KMT**

FTR - Courtroom C-201

**Date: July 19, 2010**

Deputy Clerk: J. Chris Smith

MARK BAKER and  
MELISSA BAKER

Mark E. Kraynak

Plaintiffs,

v.

PROFESSIONAL FINANCE COMPANY, INC.,  
EQUIFAX INFORMATION SERVICES LLC.,  
EQUIFAX, INC.,  
TRANS UNION LLC and  
EXPERIAN INFORMATION SOLUTIONS, INC.,

Louis L. Galvis

Martin E. Thornthwaite by *telephone*  
Rana Nadar by *telephone*

Defendants.

---

**COURTROOM MINUTES / MINUTE ORDER**

---

**Hearing on Pending Motions**

**9:05 a.m. Court in session.**

Melissa Baker, Devenei Ball, Ryan Boettcher and Michael Shoop are present.

Court calls case. Appearances of counsel.

9:09 a.m. Argument by Mr. Kraynak and Mr. Galvis re: [59].

Court makes findings and conclusions as stated on record.

**ORDERED: Opposed Motion to Compel and For Sanctions, filed June 9, 2010 [59], is denied.  
PFC's objections are late but preserved.**

9:23 a.m. Mr. Galvis and Mr. Kraynak answer questions asked by the Court regarding procedure and parties' respective positions [45].

9:32 a.m. Defendant PFC's witness Devenei Ball, sworn.  
Direct examination of Ms. Ball by Mr. Galvis.

July 19, 2010  
10-cv-00487-CMA-KMT

9:56 a.m. Cross examination of Ms. Ball by Mr. Kraynak.

**10:25 a.m. Court in recess.**

**10:40 a.m. Court in session.**

Counsel appearing by telephone state they will remain on the line.

10:41 a.m. Redirect examination of Ms. Ball by Mr. Galvis.

10:45 a.m. Defendant PFC's witness Ryan Boettcher, sworn.  
Direct examination of Mr. Boettcher by Mr. Galvis.

11:07 a.m. Cross examination of Mr. Boettcher by Mr. Kraynak.

11:19 a.m. Redirect examination of Mr. Boettcher by Mr. Galvis.

11:21 a.m. Recross examination of Mr. Boettcher by Mr. Kraynak.

Statements by Mr. Galvis.

Discussion between Court and Mr. Kraynak regarding testifying.

11:25 a.m. Plaintiff Melissa Baker sworn.

Direct examination of Ms. Baker by Mr. Kraynak.

11:30 a.m. Cross examination of Ms. Baker by Mr. Galvis.

11:33 a.m. Further examination of Ms. Baker by Mr. Kraynak.

Ms. Baker answers questions asked by the Court.

11:36 a.m. Further examination of Ms. Baker by Mr. Kraynak.

Counsel appearing by telephone state no questions.

11:37 a.m. Counsel Mark E. Kraynak sworn.

Statement by Mr. Kraynak.

Mr. Thornthwaite asks Mr. Kraynak a question regarding notes.

Mr. Kraynak answers questions asked by the Court.

Discussion regarding production of notes made by plaintiff Melissa Baker.

**ORDERED: Mr. Kraynak shall produce notes requested by July 21, 2010.**

Discussion regarding initial disclosures and production of documents.

11:46 a.m. Argument by Mr. Galvis.

July 19, 2010  
10-cv-00487-CMA-KMT

11:50 a.m. Argument by Mr. Kraynak.  
12:00 p.m. Rebuttal argument by Mr. Galvis.  
12:01 p.m. Further argument by Mr. Kraynak.  
12:04 p.m. Further argument by Mr. Galvis.

Counsel appearing by telephone decline making arguments.

Court makes findings of fact and conclusions of law as stated on record.

**ORDERED: Defendant Professional Finance Company, Inc.'s Opposed Motion to Disqualify Plaintiffs' Counsel, filed May 17, 2010 [45], is granted to the extent that Mr. Kraynak is prohibited from representing the plaintiff at trial, at any deposition or any other hearing that could be a subject at trial.**

Plaintiff's Oral Motion to Stay the Case by Mr. Kraynak.  
Discussion regarding stay and scheduling deadlines.

**ORDERED: Plaintiff's Oral Unopposed Motion to Stay the Case (all aspects) is granted until September 8, 2010.**  
**Discovery cutoff deadline is extended to December 8, 2010.**  
**Dispositive motions deadline is extended to January 10, 2011.**  
**Affirmative Expert Disclosure deadline is extended to October 8, 2010.**  
**Rebuttal Expert Disclosure deadline is extended to November 8, 2010.**  
**Joint Status Report due September 8, 2010** (addressing status of attorney representing plaintiffs, deadlines set, settlement, pending motion to amend and plaintiffs' counsel will be responsible for taking the lead in drafting the status report).  
**Settlement Conference set for September 8, 2010 is vacated.**  
**Final Pretrial Conference rescheduled to March 8, 2011 at 9:00 a.m.**

**12:28 p.m. Court in recess.**

Hearing concluded.  
Total In-Court Time 3 hrs. 8 min.

\*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.