

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer

Civil Action: 10-cv-00992-DME-CBS
Date: December 8, 2011

FTR - Reporter Deck-Courtroom A402
Courtroom Deputy: Emily Seamon

Parties:

JAMES ALLEN LOVELL, and
MONICA K. LOVELL,

Plaintiffs,

v.

DAVID W. MILLER, M.D.,

Defendant.

Counsel:

Gerald McDermott

Kim Childs (*by telephone*)

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in Session: 2:31 p.m.

Court calls case. Appearances of counsel.

Discussion between the Court and counsel regarding the authenticity of two pages of documents; response to a subpoena; rescheduling a deposition; serving requests for admission; Plaintiffs' Motion to Allow the Deposition for Valley View Hospital Documents [Doc. No. 75]; and Plaintiffs' Supplement to Plaintiffs' Motion to Allow the Deposition for Valley View Hospital Documents (Documents 75, 75-1 and 75-2) [Doc. No. 88].

ORDERED: Plaintiffs' Motion to Allow the Deposition for Valley View Hospital Documents [Doc. No. 75] is GRANTED. The Court will allow Plaintiffs to take the deposition of Dr. Steinbrecher for the limited purpose of authenticating these two pages. This deposition shall be conducted on or before **January 6, 2012**. To the extent that Mr. Childs decides that he wants to fight about the authenticity of a two page document, he is free to do that. To the extent Mr. McDermott believes Mr. Childs' opposition to a deposition on the basis of authenticity is unnecessary, Mr. McDermott is free to file a motion to shift fees and costs. To the extent that counsel can work out the authenticity fight without the necessity of deposing Dr. Steinbrecher, they must do so before **December 19, 2011**, otherwise Dr. Steinbrecher's deposition must be

conducted on or before January 6, 2012.

HEARING CONCLUDED.

Court in recess: 2:58 p.m.

Total time in court: 00:27

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