

APPEAL, NDISPO

**U.S. District Court
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:10-cv-01546-REB -CBS**

Direct Marketing Association, The v. Huber
Assigned to: Judge Robert E. Blackburn
Referred to: Magistrate Judge Craig B. Shaffer
Cause: 42:1983 Civil Rights Act

Date Filed: 06/30/2010
Jury Demand: None
Nature of Suit: 950 Constitutional -
State Statute
Jurisdiction: Federal Question

Plaintiff**Direct Marketing Association, The**

represented by **George Steven Isaacson**
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V.

Defendant

Roxy Huber
*in her capacity as Executive Director,
Colorado Department of Revenue*

represented by **Jack M. Wesoky**
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TERMINATED: 09/27/2010


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TERMINATED: 08/30/2010

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Date Filed	#	Docket Text
06/30/2010	<u>1</u>	COMPLAINT against Roxy Huber (Filing fee \$ 350, Receipt Number 29213) Summons Issued, filed by Direct Marketing Association, The. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Receipt)(jak,) (Entered: 06/30/2010)
07/01/2010	<u>2</u>	ORDER REFERRING CASE to Magistrate Judge Craig B. Shaffer, for non-dispositive matters, by Judge Robert E. Blackburn on 7/1/10. (rebsec,) (Entered: 07/01/2010)
07/07/2010	<u>3</u>	ORDER setting a Scheduling Conference on 9/23/2010 at 10:00 a.m., in Courtroom A 402, by Magistrate Judge Craig B. Shaffer on 7/7/10.

		(cbssec) (Entered: 07/07/2010)
07/09/2010	4	NOTICE of Entry of Appearance by Robert H. Dodd, Jr on behalf of Roxy Huber (Dodd, Robert) (Entered: 07/09/2010)
07/20/2010	5	SUMMONS Returned Executed by Direct Marketing Association, The. Roxy Huber served on 7/2/2010, answer due 7/23/2010. (Schaefer, Matthew) (Entered: 07/20/2010)
07/20/2010	6	CORPORATE DISCLOSURE STATEMENT by Plaintiff Direct Marketing Association, The.. (Schaefer, Matthew) (Entered: 07/20/2010)
07/20/2010	7	Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re 1 Complaint <i>and Leave to Extend Page Limitation</i> by Defendant Roxy Huber. (Attachments: # 1 Proposed Order (PDF Only)) (Scoville, Stephanie) (Entered: 07/20/2010)
07/20/2010	8	MEMORANDUM regarding 7 Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re 1 Complaint <i>and Leave to Extend Page Limitation</i> filed by Roxy Huber.Motions referred to Magistrate Judge Craig B. Shaffer by Judge Robert E. Blackburn on 7/20/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (rebsec,) (Entered: 07/20/2010)
07/21/2010	9	MINUTE ORDER granting 7 Motion for Extension of Time to Answer or Otherwise Respond. Defendant has up to and including 7/30/10 to file a responsive pleading, of no more than forty pages, to Plaintiff's 1 Complaint, by Magistrate Judge Craig B. Shaffer on 7/21/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cbssec) (Entered: 07/21/2010)
07/23/2010	10	FIRST AMENDED COMPLAINT against Roxy Huber, filed by Direct Marketing Association, The.(Isaacson, George) Modified on 7/26/2010 to note that the document is the First Amended Complaint (sah,). (Entered: 07/23/2010)
07/26/2010	11	Docket Annotation re: 10 Amended Complaint. Entry modified on 7/26/2010 to note that the document is the First Amended Complaint. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (sah,) (Entered: 07/26/2010)
07/30/2010	12	Unopposed MOTION for Leave to File Excess Pages <i>in connection with motion for preliminary injunction</i> by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Proposed Order (PDF Only)) (Schaefer, Matthew) (Entered: 07/30/2010)
07/30/2010	13	MINUTE ORDER granting in part 12 Motion for Leave to File Excess Pages by Judge Robert E. Blackburn on 7/30/10. Plaintiff shall file their motion for preliminary injunction that shall not exceed THIRTY (30) pages. Defendant shall file a response to the motion for preliminary injunction that shall not exceed THIRTY (30)pages.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (rebsec,) (Entered: 07/30/2010)

07/30/2010	 14	MOTION to Dismiss 10 Plaintiff's First Amended Complaint by Defendant Roxy Huber. (Attachments: # 1 Exhibit A, # 2 Exhibit B) (McGovern, Karen) Modified on 8/2/2010 to create linkage (sah2,). (Entered: 07/30/2010)
08/13/2010	15	MOTION for Preliminary Injunction <i>with Incorporated Memorandum of Law</i> by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Isaacson, George) (Entered: 08/13/2010)
08/13/2010	16	DECLARATION of <i>Jerry Cerasale</i> regarding MOTION for Preliminary Injunction <i>with Incorporated Memorandum of Law</i> 15 by Plaintiff Direct Marketing Association, The. (Isaacson, George) (Entered: 08/13/2010)
08/13/2010	17	DECLARATION of <i>Jeana M. Petillo</i> regarding MOTION for Preliminary Injunction <i>with Incorporated Memorandum of Law</i> 15 by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G) (Isaacson, George) (Entered: 08/13/2010)
08/13/2010	18	DECLARATION of <i>Kevin Lane Keller</i> regarding MOTION for Preliminary Injunction <i>with Incorporated Memorandum of Law</i> 15 by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Exhibit A) (Isaacson, George) (Entered: 08/13/2010)
08/13/2010	19	DECLARATION of <i>Thomas J. Adler, PhD</i> regarding MOTION for Preliminary Injunction <i>with Incorporated Memorandum of Law</i> 15 by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Isaacson, George) (Entered: 08/13/2010)
08/13/2010	20	Unopposed MOTION for Extension of Time to File Response/Reply as to 14 MOTION to Dismiss <i>Plaintiff's First Amended Complaint</i> , and for <i>enlargement of page limitation for opposition</i> by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Proposed Order (PDF Only) for unopposed motion)(Schaefer, Matthew) (Entered: 08/13/2010)
08/19/2010	21	MINUTE ORDER. Plaintiffs Unopposed Motion For Extension of Time and For Leave To Exceed Page Limitation in Opposition To Defendants Motion To Dismiss Plaintiffs First Amended Complaint 14 , 20 is GRANTED in part. Plaintiff shall have until 08/27/2010 to file its response. The brief shall not exceed 36 pages. By Judge Robert E. Blackburn on 08/19/2010.(sah,) (Entered: 08/19/2010)
08/25/2010	22	NOTICE of Entry of Appearance by Jack M. Wesoky on behalf of Roxy Huber (Wesoky, Jack) (Entered: 08/25/2010)
08/27/2010	23	BRIEF in Opposition to 14 MOTION to Dismiss <i>Plaintiff's First Amended Complaint</i> filed by Plaintiff Direct Marketing Association, The. (Isaacson, George) (Entered: 08/27/2010)
08/30/2010	24	Unopposed MOTION to Withdraw as Attorney <i>for Defendant</i> by Defendant Roxy Huber. (Attachments: # 1 Proposed Order (PDF Only)) (Dodd, Robert) (Entered: 08/30/2010)
08/30/2010	25	MEMORANDUM regarding 24 Unopposed MOTION to Withdraw as

		Attorney <i>for Defendant</i> filed by Roxy Huber.Motions referred to Magistrate Judge Craig B. Shaffer by Judge Robert E. Blackburn on 8/30/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (rebsec,) (Entered: 08/30/2010)
08/30/2010	26	MINUTE ORDER granting 24 Motion to Withdraw as Attorney. Attorney Robert H. Dodd, Jr terminated, by Magistrate Judge Craig B. Shaffer on 8/30/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cbssec) (Entered: 08/30/2010)
09/01/2010	27	(WITHDRAWN)Unopposed MOTION for Order to ON DEFENDANTS UNOPPOSED MOTION 1) FOR LIMITED EXPEDITED DISCOVERY, 2) TO CONSOLIDATE PRELIMINARY INJUNCTION PROCEEDINGS WITH A TRIAL ON THE MERITS ON PLAINTIFFS COMMERCE CLAUSE CLAIMS, 3) TO STAY PROCEEDINGS ON PLAINTIFFS REMAINING CLAIMS, AND 4) IN THE ALTERNATIVE, FOR AN EXTENSION OF TIME IN WHICH DEFENDANT MAY RESPOND TO PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION AND REPLY IN SUPPORT OF HER MOTION TO DISMISS by Defendant Roxy Huber. (Attachments: # 1 Proposed Order (PDF Only))(Scoville, Stephanie) Modified on 10/5/2010 pursuant to the Minute Entry dated 10/01/2010 (sah2,). (Entered: 09/01/2010)
09/16/2010	28	Unopposed MOTION for Extension of Time to File Response/Reply <i>in Support of her Motion to Dismiss</i> by Defendant Roxy Huber. (Attachments: # 1 Proposed Order (PDF Only))(Scoville, Stephanie) (Entered: 09/16/2010)
09/16/2010	29	Proposed Scheduling Order (<i>submitted jointly by the parties</i>) by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Schaefer, Matthew) (Entered: 09/16/2010)
09/16/2010	30	NOTICE re 14 MOTION to Dismiss <i>Plaintiff's First Amended Complaint (Partial Withdrawl of Motion to Dismiss)</i> by Defendant Roxy Huber (Scoville, Stephanie) (Entered: 09/16/2010)
09/17/2010	31	MINUTE ORDER. Defendants Unopposed Motion For Extension of Time in Which To Reply in Support of Her Motion To Dismiss 28 filed 09/16/2010, is GRANTED on the terms stated in this order. By Judge Robert E. Blackburn on 09/17/2010.(sah,) (Entered: 09/17/2010)
09/20/2010	32	MINUTE ORDER <i>sua sponte</i> resetting the 9/23/10 Scheduling Conference to 9/24/2010 at 2:30 p.m. in Courtroom A402, pursuant to a conflict on the court's calendar. All of the deadlines set forth in the Court's 3 Order filed on 7/7/10 remain unchanged, by Magistrate Judge Craig B. Shaffer on 9/20/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED(cbssec) (Entered: 09/20/2010)
09/21/2010	33	NOTICE of Entry of Appearance of <i>Melanie J. Snyder</i> by Melanie J. Snyder on behalf of Roxy Huber (Snyder, Melanie) (Entered: 09/21/2010)
09/24/2010	34	COURTROOM MINUTES - Minute Entry for proceedings held before

		Magistrate Judge Craig B. Shaffer: A Scheduling Conference was held on 9/24/2010. ORDERED: A Further Scheduling Conference is set for 10/1/2010 at 08:00 AM before Magistrate Judge Craig B. Shaffer. Out of town counsel may appear via phone by calling 303.844.2117 at the scheduled time. (Court Reporter FTR - Linda Kahoe) (cbscd) (Entered: 09/24/2010)
09/27/2010	35	Joint MOTION to Withdraw as Attorney by Defendant Roxy Huber. (Attachments: # 1 Proposed Order (PDF Only))(McGovern, Karen) (Entered: 09/27/2010)
09/27/2010	36	MEMORANDUM regarding 35 Joint MOTION to Withdraw as Attorney filed by Roxy Huber.Motions referred to Magistrate Judge Craig B. Shaffer by Judge Robert E. Blackburn on 9/27/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED(rebsec,) (Entered: 09/27/2010)
09/27/2010	37	MINUTE ORDER granting 35 Motion to Withdraw as Attorney. Attorney Karen Michelle McGovern is terminated as counsel of record, by Magistrate Judge Craig B. Shaffer on 9/27/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cbssec) (Entered: 09/27/2010)
10/01/2010	38	Proposed Scheduling Order (<i>Plaintiff's Proposal</i>) by Plaintiff Direct Marketing Association, The. (Schaefer, Matthew) (Entered: 10/01/2010)
10/01/2010	39	Minute Entry for Scheduling Conference held before Magistrate Judge Craig B. Shaffer on 10/1/2010; Court enters a schedule for resolution of the Plaintiff's pending Motion for Preliminary Injunction and Incorporated Memorandum of Law 15 . Counsel for defendants makes an oral motion to withdraw the Unopposed Motion for Order. The oral motion to withdraw 27 Defendants' Unopposed Motion for Order is GRANTED and the motion is WITHDRAWN. See attached document for deadlines. (Court Reporter FTR - Monique Wiles) (klmcd) (Entered: 10/04/2010)
10/01/2010	40	SCHEDULING ORDER, by Magistrate Judge Craig B. Shaffer on 10/1/2010. (klmcd) (Entered: 10/04/2010)
10/01/2010	41	Minute Entry for Telephonic Status Conference proceedings held before Magistrate Judge Craig B. Shaffer on 10/1/2010; Defendants' Motion 22 to Stay Discovery is GRANTED. Discovery is stayed pending a ruling on the Defendants' Motion to Dismiss 5 . (Court Reporter FTR - Monique Wiles) (klmc,) (Entered: 10/04/2010)
10/04/2010	42	Docket Annotation re: 41 Status Conference, Minute Entry was docketed in the wrong case. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (sah,) (Entered: 10/04/2010)
10/12/2010	43	MINUTE ORDER setting a Telephonic Discovery Hearing on 10/14/2010 at 2:00 p.m., pursuant to an unopposed request made by counsel for Defendant. <i>Counsel shall coordinate to create a conference call among themselves before contacting the court (303.844.2117) at the scheduled time</i> , by Magistrate Judge Craig B. Shaffer on 10/12/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED(cbssec) (Entered: 10/12/2010)

10/14/2010	44	COURTROOM MINUTES - Minute Entry for proceedings held before Magistrate Judge Craig B. Shaffer: A Telephonic Discovery Hearing was held on 10/14/2010. ORDERED: The court will apply the current Rule 26 that is in effect, WITHOUT PREJUDICE to the Plaintiff's right to withhold materials that they believe, consistent with the case law, Rule 501, and Rule 26, can be properly withheld. Consistent with Rule 26(b) (5), the Plaintiff is REQUIRED to provide a privilege log of any materials that are withheld. The court will allow the parties to decide whether or not the privilege is properly asserted. By Magistrate Judge Craig B. Shaffer. (Court Reporter FTR - Linda Kahoe) (cbscd) (Entered: 10/14/2010)
10/28/2010	45	Unopposed MOTION for Extension of Time to <i>Produce Final Expert Report</i> by Defendant Roxy Huber. (Attachments: # 1 Proposed Order (PDF Only))(Scoville, Stephanie) (Entered: 10/28/2010)
10/29/2010	46	MEMORANDUM regarding 45 Unopposed MOTION for Extension of Time to <i>Produce Final Expert Report</i> filed by Roxy Huber.Motions referred to Magistrate Judge Craig B. Shaffer by Judge Robert E. Blackburn on 10/29/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED(rebsec,) (Entered: 10/29/2010)
10/29/2010	47	MINUTE ORDER granting 45 Motion for Extension of Time. Defendant has up to and including November 15, 2010 in which to produce a final expert report for its expert on the issue of compliance costs, by Magistrate Judge Craig B. Shaffer on 10/29/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cbssec) (Entered: 10/29/2010)
10/29/2010	48	<u>AMENDED</u> MINUTE ORDER granting 45 Motion for Extension of Time. Defendant has up to and including <u>November 10, 2010</u> in which to produce a final expert report for its expert on the issue of compliance costs, by Magistrate Judge Craig B. Shaffer on 10/29/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED(cbssec) (Entered: 10/29/2010)
11/08/2010	49	ORDER. This matter is before me on the Plaintiffs Motion for a Preliminary Injunction and Incorporated Memorandum of Law 15 filed 08/13/2010. The defendants response to this motion is due to be filed on 11/19/2010, and the plaintiffs reply is due to be filed on 11/29/2010. On or before 12/03/2010, the parties SHALL FILE a joint status report specifying the amount of time each party estimates she or it will need to present evidence and argument at any hearing on the plaintiffs motion for preliminary injunction; by Judge Robert E. Blackburn on 11/08/2010. (sah,) (Entered: 11/08/2010)
11/19/2010	50	RESPONSE to 15 MOTION for Preliminary Injunction <i>with Incorporated Memorandum of Law</i> filed by Defendant Roxy Huber. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, Part 1, # 8 Exhibit 7, Part 2, # 9 Exhibit 7, Part 3, # 10 Exhibit 7, Part 4, # 11 Exhibit 7, Part 5, # 12 Exhibit 7, Part 6, # 13 Exhibit 7, Part 7, # 14 Exhibit 8, # 15 Exhibit 9, # 16 Exhibit 10, # 17 Exhibit 11, # 18 Exhibit 12, # 19 Exhibit 13, # 20 Exhibit 14, # 21 Exhibit 15, # 22 Exhibit 16, # 23 Exhibit 17)(Scoville, Stephanie) (Entered: 11/19/2010)

11/23/2010	51	Unopposed MOTION for Leave to File Excess Pages <i>for Reply to Opposition to Motion for Preliminary Injunction</i> by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Proposed Order (PDF Only))(Schaefer, Matthew) (Entered: 11/23/2010)
11/23/2010	52	MOTION for Leave to File Excess Pages <i>for her Reply Brief in Support of Motion to Dismiss</i> by Defendant Roxy Huber. (Attachments: # 1 Proposed Order (PDF Only))(Scoville, Stephanie) (Entered: 11/23/2010)
11/23/2010	53	RESPONSE to 52 MOTION for Leave to File Excess Pages <i>for her Reply Brief in Support of Motion to Dismiss</i> filed by Plaintiff Direct Marketing Association, The. (Schaefer, Matthew) (Entered: 11/23/2010)
11/24/2010	54	MINUTE ORDER granting 51 Motion for Leave to File Excess Pages. Plaintiff is granted leave to file a reply brief to defendant's response in opposition to plaintiff's motion for preliminary injunction that shall not exceed fifteen 15 pages. By Judge Robert E. Blackburn on 11/24/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (rebsec,) (Entered: 11/24/2010)
11/24/2010	55	MINUTE ORDER granting 52 Motion for Leave to File Excess Pages. Defendant is permitted to file a reply brief in support of her motion to dismiss not to exceed twenty 20 pages. By Judge Robert E. Blackburn on 11/24/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (rebsec,) (Entered: 11/24/2010)
11/29/2010	56	REPLY to Response to 15 MOTION for Preliminary Injunction <i>with Incorporated Memorandum of Law</i> filed by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Affidavit Reply Exh A (Barry Decl.), # 2 Deposition Excerpts Reply Exh B (Barry Deposition), # 3 Deposition Excerpts Reply Exh C (Gable Deposition), # 4 Deposition Excerpts Reply Exh D (Keller Deposition), # 5 Affidavit Reply Exh E (Adler Decl.), # 6 Deposition Excerpts Reply Exh F (Adler Deposition), # 7 Affidavit Reply Exh G (Woock Decl.), # 8 Deposition Excerpts Reply Exh H (Fox Deposition))(Isaacson, George) (Entered: 11/29/2010)
11/30/2010	57	REPLY to Response to 14 MOTION to Dismiss <i>Plaintiff's First Amended Complaint</i> filed by Defendant Roxy Huber. (Attachments: # 1 Exhibit Exhibit 1)(Snyder, Melanie) (Entered: 11/30/2010)
12/03/2010	58	Joint STATUS REPORT <i>Regarding Hearing on Motion for Preliminary Injunction</i> by Plaintiff Direct Marketing Association, The. (Isaacson, George) (Entered: 12/03/2010)
12/06/2010	59	ORDER. The Joint Status Report Regarding Hearing on Motion For Preliminary Injunction 58 filed 12/03/2010, is APPROVED. The stipulations stated in the joint status report concerning the composition of the record relevant to plaintiffs motion 15 are APPROVED. The parties request for oral argument is GRANTED. The court SHALL HEAR oral argument relevant to the issues raised by and inherent to the plaintiffs motion 15 on 01/13/2011, commencing at 10:00 a.m. (MST). By Judge Robert E. Blackburn on 12/06/2010. (sah,) (Entered: 12/06/2010)


12/16/2010	60	Joint MOTION for Extension of Time to <i>File Joint Designations of Additional Deposition Testimony by One Day</i> by Defendant Roxy Huber. (Wesoky, Jack) (Entered: 12/16/2010)
12/16/2010	61	MINUTE ORDER granting 60 Motion for Extension of Time. Parties shall have until 12/17/10 to file their Joint Designation of Additional Deposition Testimony. By Judge Robert E. Blackburn on 12/16/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (rebsec,) (Entered: 12/16/2010)
12/16/2010	62	MOTION for Leave to File Excess Pages <i>for Motion to Exclude Plaintiff's Expert Witnesses</i> by Defendant Roxy Huber. (Attachments: # 1 Proposed Order (PDF Only))(Snyder, Melanie) (Entered: 12/16/2010)
12/16/2010	 63	MOTION to Exclude <i>the Testimony of Plaintiff's Expert Witnesses F. Curtis Barry, Thomas Adler, and Kevin Lane Keller</i> by Defendant Roxy Huber. (Attachments: # 1 Exhibit A- Barry Dep., # 2 Exhibit B- Barry Report, # 3 Exhibit C- Barry Dep. Exhs., # 4 Exhibit D- Adler Report and Decl., # 5 Exhibit E-1of5- Adler Dep. Exhs, # 6 Exhibit E-2of5- Adler Dep. Exhs, # 7 Exhibit E-3of5- Adler Dep. Exhs, # 8 Exhibit E-4of5- Adler Dep. Exhs, # 9 Exhibit E-5of5- Adler Dep. Exhs, # 10 Exhibit F- Adler Dep., # 11 Exhibit G- Lichtenstein Decl. and Report, # 12 Exhibit H- Keller Dep., # 13 Exhibit I- Keller Report and Decl., # 14 Exhibit J- 1of3- Keller Dep. Exhs., # 15 Exhibit J-2of3- Keller Dep. Exhs., # 16 Exhibit J-3of3- Keller Dep. Exhs.)(Snyder, Melanie) (Entered: 12/16/2010)
12/17/2010	64	MINUTE ORDER. Defendants Unopposed Motion For Leave To Exceed Page Limitation For Her Motion To Exclude The Testimony of Plaintiffs Expert Witness 62 is GRANTED. Defendants Motion To Exclude The Testimony of Plaintiffs Expert Witnesses F. Curtis Barry, Thomas Adler, and Kevin Lane Keller 63 is accepted for filing. By Judge Robert E. Blackburn on 12/17/2010.(sah,) (Entered: 12/17/2010)
12/17/2010	65	DESIGNATION OF DEPOSITION TESTIMONY <i>Joint Designation of Additional Deposition Testimony Regarding Plaintiff's Motion for Preliminary Injunction</i> by Plaintiff Direct Marketing Association, The. (Schaefer, Matthew) (Entered: 12/17/2010)
12/17/2010	66	DESIGNATION OF DEPOSITION TESTIMONY <i>Excerpts from the Transcript of the Deposition of F. Curtis Barry and accompanying deposition exhibits</i> by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Exhibit Dep. Ex. 1, # 2 Exhibit Dep. Ex. 3, # 3 Exhibit Dep. Ex. 4, # 4 Exhibit Dep. Ex. 5, # 5 Exhibit Dep. Ex. 7, # 6 Exhibit Dep. Ex. 8, # 7 Exhibit Dep. Ex. 9, # 8 Exhibit Dep. Ex. 10, # 9 Exhibit Dep. Ex. 11, # 10 Exhibit Dep. Ex. 12, # 11 Exhibit Dep. Ex. 13, # 12 Exhibit Dep. Ex. 15)(Schaefer, Matthew) (Entered: 12/17/2010)
12/17/2010	67	DESIGNATION OF DEPOSITION TESTIMONY <i>Excerpts from the Transcript of the Deposition of Kevin Lane Keller and accompanying deposition exhibits</i> by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Exhibit Dep. Ex. 16, # 2 Exhibit Dep. Ex. 17, # 3

		Exhibit Dep. Ex. 18, # 4 Exhibit Dep. Ex. 19, # 5 Exhibit Dep. Ex. 20, # 6 Exhibit Dep. Ex. 21, # 7 Exhibit Dep. Ex. 22, # 8 Exhibit Dep. Ex. 23, # 9 Exhibit Dep. Ex. 24, # 10 Exhibit Dep. Ex. 25, # 11 Exhibit Dep. Ex. 26, # 12 Exhibit Dep. Ex. 29, # 13 Exhibit Dep. Ex. 30, # 14 Exhibit Dep. Ex. 31, # 15 Exhibit Dep. Ex. 32, # 16 Exhibit Dep. Ex. 33, # 17 Exhibit Dep. Ex. 34, # 18 Exhibit Dep. Ex. 35, # 19 Exhibit Dep. Ex. 36, # 20 Exhibit Dep. Ex. 37, # 21 Exhibit Dep. Ex. 38)(Schaefer, Matthew) (Entered: 12/17/2010)
12/17/2010	68	DESIGNATION OF DEPOSITION TESTIMONY <i>Excerpts From the Transcript of the Deposition of Thomas J. Adler and accompanying deposition exhibits</i> by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Exhibit Dep. Ex. 21, # 2 Exhibit Dep. Ex. 39, # 3 Exhibit Dep. Ex. 42, # 4 Exhibit Dep. Ex. 44, # 5 Exhibit Dep. Ex. 47, # 6 Exhibit Dep. Ex. 48, # 7 Exhibit Dep. Ex. 49, # 8 Exhibit Dep. Ex. 52, # 9 Exhibit Dep. Ex. 53, # 10 Exhibit Dep. Ex. 54, # 11 Exhibit Dep. Ex. 55, # 12 Exhibit Dep. Ex. 56, # 13 Exhibit Dep. Ex. 57, # 14 Exhibit Dep. Ex. 58, # 15 Exhibit Dep. Ex. 60, # 16 Exhibit Dep. Ex. 61, # 17 Exhibit Dep. Ex. 62, # 18 Exhibit Dep. Ex. 63, # 19 Exhibit Dep. Ex. 65, # 20 Exhibit Dep. Ex. 66, # 21 Exhibit Dep. Ex. 67, # 22 Exhibit Dep. Ex. 68, # 23 Exhibit Dep. Ex. 69, # 24 Exhibit Dep. Ex. 70, # 25 Exhibit Dep. Ex. 72, # 26 Exhibit Dep. Ex. 74, # 27 Exhibit Dep. Ex. 76, # 28 Exhibit Dep. Ex. 79, # 29 Exhibit Dep. Ex. 80, # 30 Exhibit Dep. Ex. 82, # 31 Exhibit Dep. Ex. 86, # 32 Exhibit Dep. Ex. 87, # 33 Exhibit Dep. Ex. 88, # 34 Exhibit Dep. Ex. 90, # 35 Exhibit Dep. Ex. 92, # 36 Exhibit Dep. Ex. 93) (Schaefer, Matthew) (Entered: 12/17/2010)
12/17/2010	69	DESIGNATION OF DEPOSITION TESTIMONY <i>Excerpts from the Transcript of the Deposition of William F. Fox and accompanying deposition exhibits</i> by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Exhibit Dep. Ex. 95, # 2 Exhibit Dep. Ex. 96, # 3 Exhibit Dep. Ex. 98, # 4 Exhibit Dep. Ex. 99, # 5 Exhibit Dep. Ex. 100, # 6 Exhibit Dep. Ex. 101)(Schaefer, Matthew) (Entered: 12/17/2010)
12/17/2010	70	DESIGNATION OF DEPOSITION TESTIMONY <i>Excerpts from the Transcript of the Deposition of Dieter G. Gable</i> by Plaintiff Direct Marketing Association, The. (Schaefer, Matthew) (Entered: 12/17/2010)
12/20/2010	71	Amended MOTION to Exclude Testimony of Plaintiff's Expert Witnesses F. Curtis Barry, Thomas Adler, and Kevin Lane Keller by Defendant Roxy Huber. (Attachments: # 1 Exhibit A, Barry Dep., # 2 Exhibit B, Barry Report, # 3 Exhibit C, Barry Dep. Exhs., # 4 Exhibit D, Adler Report and Decl., # 5 Exhibit E1of5, Adler Dep. Exhs., # 6 Exhibit E2of5, Adler Dep. Exhs., # 7 Exhibit E3of5, Adler Dep. Exhs., # 8 Exhibit E4of5, Adler Dep. Exhs., # 9 Exhibit E5of5, Adler Dep. Exhs., # 10 Exhibit F, Adler Dep., # 11 Exhibit G, Lichtenstein Decl. and Report, # 12 Exhibit H, Keller Dep., # 13 Exhibit I, Keller Report and Decl., # 14 Exhibit J1of3, Keller Dep. Exhs., # 15 Exhibit J2of3, Keller Dep. Exhs., # 16 Exhibit J3of3, Keller Dep. Exhs.)(Snyder, Melanie) (Entered: 12/20/2010)
12/22/2010	72	MOTION to Strike 71 Amended MOTION to Exclude Testimony of

		Plaintiff's Expert Witnesses F. Curtis Barry, Thomas Adler, and Kevin Lane Keller (as Untimely, Non-Conforming, and Additional, Surreply Briefing on Plaintiff's Motion for Preliminary Injunction) by Plaintiff Direct Marketing Association, The. (Schaefer, Matthew) (Entered: 12/22/2010)
01/05/2011	73	RESPONSE to 72 Plaintiffs Motion to Strike Defendants Additional, Surreply Briefing on Plaintiffs Motion for Preliminary Injunction, Filed by the Defendant As an Untimely and Non-Conforming Motion to Exclude the Testimony of Plaintiffs Expert Witnesses filed by Defendant Roxy Huber. (Wesoky, Jack) Modified on 1/6/2011 to create linkage (sah,). (Entered: 01/05/2011)
01/06/2011	74	REPLY to Response to 72 Plaintiff's Motion to Strike filed by Plaintiff Direct Marketing Association, The. (Schaefer, Matthew) Modified on 1/6/2011 to create linkage (sah,). (Entered: 01/06/2011)
01/10/2011	75	RESPONSE to 71 Amended MOTION to Exclude <i>Testimony of Plaintiff's Expert Witnesses F. Curtis Barry, Thomas Adler, and Kevin Lane Keller</i> filed by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Deposition Excerpts Ex A)(Schaefer, Matthew) (Entered: 01/10/2011)
01/13/2011	76	Minute Entry for Preliminary Injunction proceedings held before Judge Robert E. Blackburn on 1/13/2011. Taking under advisement 15 Motion for Preliminary Injunction. (Court Reporter: Suzanne Claar)(babia) (Entered: 01/13/2011)
01/24/2011	77	REPLY to Response to 71 Amended MOTION to Exclude <i>Testimony of Plaintiff's Expert Witnesses F. Curtis Barry, Thomas Adler, and Kevin Lane Keller</i> filed by Defendant Roxy Huber. (Attachments: # 1 Exhibit Exh K, Gable Rep and Ex, # 2 Exhibit Exh L, Keller Dep Cites, # 3 Exhibit Exh M, Keller Dep Cites)(Snyder, Melanie) (Entered: 01/24/2011)
01/26/2011	78	ORDER. Defendants Amended Motion To Exclude the Testimony of Plaintiffs Expert Witnesses F. Curtis Barry, Thomas Adler, and Kevin Lane Keller 71 filed 12/20/2010, is DENIED as moot. The Plaintiffs Motion to Strike Defendants Additional, Surreply Briefing on Plaintiffs Motion for Preliminary Injunction, Filed by the Defendant as an Untimely and Non-conforming Motion to Exclude the Testimony of Plaintiffs Expert Witnesses 71 72 filed 12/22/2010, is DENIED. By Judge Robert E. Blackburn on 1/26/2011.(sah,) (Entered: 01/26/2011)
01/26/2011	79	ORDER. Plaintiffs Motion for a Preliminary Injunction and Incorporated Memorandum of Law 15 filed 8/13/2010, is GRANTED. See order for details. By Judge Robert E. Blackburn on 1/26/2011.(sah,) (Entered: 01/26/2011)
01/26/2011	80	MINUTE ORDER setting a Telephonic Status Conference on 2/10/2011 at 10:00 a.m., in light of the 79 Order Granting Motion for Preliminary Injunction. <i>Counsel shall coordinate to create a conference call among themselves before contacting the court (303.844.2117) at the scheduled time</i> , by Magistrate Judge Craig B. Shaffer on 1/26/11. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED(cbssec) (Entered: 01/26/2011)

01/28/2011	81	BOND <i>for Preliminary Injunction</i> posted by Plaintiff Direct Marketing Association, The. (Schaefer, Matthew) (Entered: 01/28/2011)
01/28/2011	82	RECEIPT (COX034787) for 5,000.00 by Plaintiff Direct Marketing Association, The re: 79 Order on Motion for Preliminary Injunction. (sah,) (Entered: 01/28/2011)
02/01/2011	83	MINUTE ORDER resetting a hearing pursuant to an unopposed request made by counsel for Defendant. ORDERED that a Telephonic Status Conference will be held on 2/14/2011 at 9:00 a.m. <i>Counsel shall coordinate to create a conference call among themselves before contacting the court (303.844.2117) at the scheduled time</i> , by Magistrate Judge Craig B. Shaffer on 2/1/11. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED(cbssec) (Entered: 02/01/2011)
02/14/2011	84	COURTROOM MINUTES/MINUTE ORDER for proceedings held before Magistrate Judge Craig B. Shaffer: A Telephonic Status Conference was held on 2/14/2011. (FTR: Linda Kahoe) (cbscd) (Entered: 02/14/2011)
02/16/2011	85	Joint STATUS REPORT <i>and Proposed Order</i> by Plaintiff Direct Marketing Association, The. (Attachments: # 1 Proposed Order (PDF Only))(Schaefer, Matthew) (Entered: 02/16/2011)
02/25/2011	86	NOTICE OF APPEAL as to 79 Order on Motion for Preliminary Injunction by Defendant Roxy Huber (Wesoky, Jack) (Entered: 02/25/2011)