

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch**

Date: November 14, 2012
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 10-cv-02139-RPM

LENOX MACLAREN SURGICAL CORPORATION,

G. Stephen Long
Nicole A. Westbrook

Plaintiff,

v.

MEDTRONIC, INCORPORATED, a Minnesota corporation;
MEDTRONIC SOFAMOR DANEK, INCORPORATED,
an Indiana corporation;
MEDTRONIC PS MEDICAL, INCORPORATED, d/b/a
MEDTRONIC NEUROLOGIC TECHNOLOGIES, a California corporation; and
MEDTRONIC SOFAMOR DANEK CO., LTD., a Japanese corporation,

Steven M. Zager
Michael Simons
James E. Hartley

Defendants.

COURTROOM MINUTES

Hearing on Pending Motions

9:57 a.m. Court in session.

Defendants' client representative Chad A. Hanson present.

Court's preliminary remarks.

Mr. Long clarifies plaintiff's case and answers questions asked by the Court.
Response to Court's procedural suggestion by Mr. Zager.

ORDERED: Plaintiff shall provide and explanation with evidence that supports its contention to the claims for relief by defining what the market is, what is the market share and the injury to competition, by January 5, 2013.

**Defendants have to February 4, 2013 to file a motion for summary judgment.
Plaintiff's reply due in accordance with the rules.**

Lenox Maclaren Surgical Corporation's Motion to Compel Production of Documents [111], is denied.

Lenox Maclaren Surgical Corporation's Motion to Enforce the Parties' Agreement Regarding Document Custodians [112], denied.

Lenox Maclaren Surgical Corporation's Motion to Compel Rule 45 Deposition of MSD USA and Production of Documents [127], is denied.

Defendants' Motion for Discretionary Relief [129], denied.

10:20 a.m. Court in recess. Hearing concluded. Total time: 23 min.