

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

Date: October 13, 2011
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 10-cv-02227-RPM

CHEVRON U.S.A INC., a Pennsylvania corporation,

Plaintiff,

Keith D. Tooley
Blake M. Pickett

v.

BERRY PETROLEUM COMPANY, a Delaware corporation,

Defendant.

Steven J. Merker
Scott P. Sinor

COURTROOM MINUTES

Hearing on Motion to Compel

2:00 p.m. Court in session.

Court's preliminary remarks.

Mr. Tooley answers questions asked by the Court.

Argument by Mr. Mercker.

Argument by Mr. Tooley.

ORDERED: Berry Petroleum's First Motion to Compel Production of Documents [27] / [28], is granted with respect to the completed handbooks (deductions) and denied in all other respects.

Discussion regarding calculating damages with respect to the role of the jury.

Counsel agree to confer.

Discussion regarding scheduling.

ORDERED: Pretrial conference set for January 6, 2012 at 4:00 p.m.

2:43 p.m. Court in recess.

Hearing concluded. Total time: 43 min.