

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

**Civil Action:10-cv-02411-PAB-CBS**  
**Date: February 25, 2013**

FTR - Reporter Deck-Courtroom A402  
Courtroom Deputy: Robin Mason

---

Parties:

ROSEMARY NIKKEL,  
  
Plaintiff,

Counsel:

Tracey Nelson Tiedman

v.

WAKEFIELD & ASSOCIATES, INC.,  
  
Defendant.

Steven J. Wienczkowski  
Joseph J. Lico

---

**COURTROOM MINUTES/MINUTE ORDER**

---

**HEARING: MOTION HEARING**

**Court in Session: 1:29 p.m.**

Court calls case. Appearances of counsel.

The court addresses the parties regarding the plaintiff's MOTION to Strike #67 Exhibit List, #68 Witness List and Motion for Sanctions (Docket No. 69, filed on 2/12/2013) and the defendant's RESPONSE to #69 MOTION to Strike #67 Exhibit List, #68 Witness List and Motion for Sanctions (Docket No. 72, filed on 2/22/2013).

Ms. Tiedman presents oral argument and engages in discussion with the court.

Mr. Wienczkowski presents oral argument and engages in discussion with the court.

Further discussion between the court and the parties.

For reasons as stated on the record,

**ORDERED:** The court shall **GRANT IN PART AND DENY IN PART** the plaintiff's MOTION to Strike #67 Exhibit List, #68 Witness List and Motion for Sanctions (Docket No.

69, filed on 2/12/2013).

The court denies the motion to the extent that it seeks to strike the amended proposed witness list and to the extent that it seeks to strike the two (2) new exhibits. The court grants the motion to the extent that it seeks sanctions for a violation. Therefore the court shall impose the following as a sanction: plaintiff's counsel may reopen discovery to either question Mr. Turner or a Wakefield witness with respect to either of the two new exhibits. Plaintiff's counsel has the right to reopen discovery for this purpose. Depositions shall be reopened, at the defendant's expense, and shall be completed **on or before March 18, 2013**.

HEARING CONCLUDED.

**Court in recess: 2:59 p.m.**

Total time in court: 01:30

To order transcripts of hearings with Magistrate Judge Shaffer, please contact Avery Woods Reporting at (303) 825-6119 or toll free at 1-800-962-3345.