

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

Civil Action No.: 11-cv-00340-CMA-CBS

FTR - Reporter Deck - Courtroom A402

Date: March 30, 2011

Courtroom Deputy: Linda Kahoe

CAPITOL INDEMNITY CORPORATION,

Douglas Adam Stevens

Plaintiff,

v.

LARRY HECKEL, *et al.*,

Eric Edward Torgersen

HARVEST GOLD VILLAGE
HOMEOWNERS ASSOCIATION, INC.,

Alex Michael Nelson

Defendants.

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in session: 1:30 p.m.

Court calls case. Appearances of counsel.

Discussion regarding Harvest Gold Village Homeowners Association, Inc. Joinder in Heckel Defendants' Second Unopposed Motion for Enlargement of Time to Respond to Plaintiff's Complaint, doc #[19], filed 3/29/2011.

ORDERED: Harvest Gold Village Homeowners Association, Inc. Joinder in Heckel Defendants' Second Unopposed Motion for Enlargement of Time to Respond to Plaintiff's Complaint, doc #[19], is **DENIED**. Defendants must file an Answer or otherwise respond to the Complaint, doc #[1], on or before **APRIL 8, 2011**. The Defendants are not required to file counter-claims as of April 8th. The Defendants' obligation to file counter-claims will only be triggered once the stay as to Counts II and III is lifted.

Discussion and arguments regarding Heckel Defendants' Motion to Stay Action, doc #[8], filed 3/10/2011.

Discussion regarding Harvest Gold Village Homeowners Association, Inc. Joinder in Heckel Defendants' Motion to Stay Action, doc #[18], filed 3/29/2011.

For the reasons as stated on the record, it is:

ORDERED: Heckel Defendants' Motion to Stay Action, doc #[8], is **GRANTED IN PART AND DENIED IN PART**. The Motion is **GRANTED** with respects to Counts II and III. All discovery in this case related to Counts II and III is **STAYED** pending further order of this court. The Motion is **DENIED** as it relates to Count I.

Plaintiff shall provide its Rule 26(a) disclosures directed to Count I within **TWO WEEKS** of today's date.

Within 30 days after providing Rule 26(a) disclosures, Plaintiff may serve the limited discovery requests directed to the legal theory and specific facts alleged in Count I. Plaintiff is allowed to serve 10 interrogatories, 5 requests for production, and 5 requests for admission specifically limited in time and circumstance to statements or facts existing on or pre-dating the completion of the questionnaire addressed in Count I.

Plaintiff shall not pursue any discovery relating to statements made by Larry Heckel in his individual capacity, or statements made by Larry Heckel on behalf of Heckel Construction, if those statements occurred after the date of the questionnaire. Plaintiff is not allowed to conduct discovery relating to events that post-date the completion of the questionnaire.

The parties shall not take any depositions in this case without leave of court.

Defendants are not required to serve Rule 26(a) disclosures.

ORDERED: The Scheduling Conference currently set for April 25, 2011 at 9:15 a.m. is **VACATED**.

HEARING CONCLUDED.

Court in recess: 2:33 p.m.

Total time in court: 01:03

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.