

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

**Civil Action No.: 11-cv-00508-DME-CBS**

**FTR - Reporter Deck - Courtroom A402**

**Date: July 29, 2011**

**Courtroom Deputy: Linda Kahoe**

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NOLTE ASSOCIATES, INC.,

Jessica Marie Debroisse

Plaintiff,

v.

HOTEL GOLD CROWN CHAMPA, LLC,  
H&M MORTGAGE & INVESTMENTS, LLC,

Eric Edward Torgersen  
Stephen Kent Dexter  
Thomas D. Leland  
Erick Steven Arriola

KEYBANK NATIONAL ASSOCIATION,  
AMERICAN NATIONAL BANK,  
RIVIERA HOLDING, LLC,  
ASSET PRESERVATION, INC.,  
STEPHANIE O'MALLEY,  
in her capacity as the Public Trustee of Denver County,

Defendants.

and

FEDERAL DEPOSIT INSURANCE CORPORATION,  
as receiver for FirsTier Bank,

Rebecca Reynolds Messall

Receiver.

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OZ ARCHITECTURE OF BOULDER, INC.,

James Gordon Gaspich  
Nancy Dee Miller

Plaintiff,

v.

HOTEL GOLD CROWN CHAMPA, LLC,  
H&M MORTGAGE & INVESTMENTS, LLC,  
FISERV ISS & CO.,  
FBO MORRIS GINSBERG IRA,  
KEYBANK NATIONAL ASSOCIATION,  
AMERICAN NATIONAL BANK,  
RIVIERA HOLDING, LLC,

Eric Edward Torgersen  
Stephen Kent Dexter  
Thomas D. Leland  
  
Erick Steven Arriola

ASSET PRESERVATION, INC.,  
MAHINDER BAJAJ,  
PAUL OLSEN,  
CITY AND COUNTY OF DENVER, COLORADO,  
BK-STOUT, LLC,  
STEPHANIE O'MALLEY,  
in her capacity as the Public Trustee of Denver County,  
JOSEPH A. MURR, Atty. Reg.,

Defendants,

and

FEDERAL DEPOSIT INSURANCE CORPORATION,  
as receiver for FirstTier Bank,

Rebecca Reynolds Messall

Receiver.

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**COURTROOM MINUTES/MINUTE ORDER**

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**HEARING: TELEPHONIC STATUS CONFERENCE**

**Court in session: 8:05 a.m.**

Court calls case. Appearances of counsel.

Discussion and arguments regarding Plaintiff's Motion for Protective Order, doc #[52], filed 7/12/2011.

The court suggests that Plaintiff Oz Architecture withdraw the Motion for Remand, doc #[44].

**ORDERED:** Defendant H&M's discovery requests are **STRICKEN WITHOUT PREJUDICE**. The service of the discovery requests violates Rule 26(d). Therefore, Plaintiff's Motion for Protective Order, doc #[52] is **MOOT**.

The court suggests that counsel consult with their clients, evaluate the practical reality of where the case is, and then contact chambers to advise the court of the parties' decision of whether or not to withdraw the Motion for Remand.

HEARING CONCLUDED.

**Court in recess: 8:30 a.m.**

Total time in court: 00:25

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