

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

Date: February 21, 2012
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 11-cv-00853-RPM

CHARLES W. MCCLURE,

Bryan E. Kuhn

Plaintiff,

v.

TOWN OF CENTER; and
JULIO PAEZ, individually and
in his official capacity as Trustee for the Town of Center;
MARK GARCIA, individually, and
in his official capacity as Town Clerk for the Town of Center; and
SUSAN BANNING; and
PEGGY MARTINEZ,

Christopher J. Shannon

Defendants.

COURTROOM MINUTES

Hearing on Pending Motions

11:30 a.m. Court in session.

Court's preliminary remarks.

Argument by Mr. Kuhn [41] (depositions).

ORDERED: Defendants' Motion for Protective Order [41] is granted. Depositions to be taken in Alamosa, CO.

ORDERED: Plaintiff's Motion to Compel and for Sanctions [40], is denied as to requests for admissions.

Statements by Mr. Shannon regarding the underlying litigation (depositions) and answers questions regarding case facts (personnel file, termination and discovery (computer)).

Court instructs Mr. Shannon to ascertain and disclose information and materials as discussed on record.

February 21, 2012
11-cv-00853-RPM

Mr. Kuhn answers questions asked by the court regarding case facts and discovery (time records, termination, computer(s) and records).

ORDERED: Information concerning plaintiff's work computer will be ascertained and disclosed by defendants as instructed on record.
Plaintiff shall seek information regarding the retirement account from the plan administrator (Invesco).
Deposition transcripts from underlying litigation shall be retrieved from counsel of record in the action.
Motions [40] and [41] resolved as stated on record.

Discussion regarding sequence of depositions.

ORDERED: Only deponents and counsel shall be present during depositions.

11:52 a.m. Court in recess.

Hearing concluded. Total time: 22 min.