

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 11-cv-02444-WYD-KMT

FTR - Courtroom C-201

Date: December 4, 2012

Deputy Clerk, Nick Richards

AMERICAN WEB, INC.,

Plaintiff,

Gregory C. Smith

Scott T. Rodgers

Kieran Anthony Lasater

v.

FLOM CORPORATION, a Maryland corporation,
LLOYD S. STIRMER, an individual,
PETER O. ABELES, an individual, and
JOHN DOE TRUSTEE(S) OF THE STIRMER
TRUST,

Heather Carson Perkins

Jeffrey S. Roberts

Defendants.

COURTROOM MINUTES / MINUTE ORDER

MOTION HEARING

Court in session: 1:27 p.m.

Court calls case. Appearances of counsel.

Motion Hearing is called regarding Plaintiffs' Motion to Compel Discovery [Doc. No. 80, filed October 15, 2012].

Oral argument from Plaintiff's counsel.

Oral argument from Defendants counsel.

It is **ORDERED**: Plaintiff's Motion to Compel Discovery [80] is **GRANTED IN PART AND DENIED IN PART**.

The motion is **GRANTED** as to Second Set, Request for Production of Documents No. 6. All invoices previously produced by Defendant Flom Corporation must be produced in unredacted form.

The motion is **GRANTED** as to Plaintiff's Third Set, Request for Production of Documents Nos. 1 and 2. Defendants shall produce the information as described in Request for Production Nos. 1 and 2 in Microsoft Excel or some other non-proprietary database used

by Defendants. The customers will not be identified by name but will be identified in some manner, such as contract number, so the clients can be distinguished. Plaintiff American Web, Inc. WILL be included on the database.

Should any issues arise, the parties shall confer on how the data will be exchanged.

The motion is **DENIED** as to Flom Corporation Interrogatory Nos. 13, 14, and 15, Flom Corporation Request for Production of Documents Nos. 21, 22, 23, 24, and 25, and Stirmer Interrogatory Nos. 1, 2, 3, 5, and 6 and Request for Production of Documents Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9 as stated on the record.

Court in Recess: 3:22 p.m.

Hearing concluded.

Total In-Court Time 01:55

*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.