

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
MAGISTRATE JUDGE MICHAEL E. HEGARTY

**Civil Action No.** 11-cv-02560-MSK-MEH

**Date:** February 12, 2013

**FTR – Courtroom A501**

Cathy Pearson, Courtroom Deputy

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

Iris Halpern

William Moench

v.

WENDY J. CABRERA,

Intervenor Plaintiff,

Kent Eichstadt

v.

THE ORIGINAL HONEYBAKED HAM COMPANY  
OF GEORGIA, INC.,

Defendant.

Benson Pope (by phone)

Katherine Dix

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**COURTROOM MINUTES/MINUTE ORDER**

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**TELEPHONIC MOTION HEARING**

**Court in session:** 10:09 a.m.

The Court calls case. Appearances of counsel.

Discussion regarding amending the Court's Order (Doc. 241, filed 11/7/12) to show that Plaintiff shall receive documents first, redact privileged information, create a privilege log, and send the Court the complete set of documents with the privilege log and redacted privileged communications.

Argument and discussion regarding Plaintiff EEOC's Motion for Resolution of Discovery Dispute and Proposed Protocol and Search Term List (Doc. 276, filed 12/31/12).

Discussion regarding apportionment of costs for the Special Master and production of electronically stored information and whether oral argument is needed on Defendant's motion for sanctions.

- ORDERED:**
1. Plaintiff EEOC's Motion for Resolution of Discovery Dispute and Proposed Protocol and Search Term List (Doc. 276, filed 12/31/12) is GRANTED in part and DENIED in part as stated on the record.
  2. Plaintiff EEOC's brief regarding apportionment of costs for the Special Master and production of electronically stored information, as well as the proposed order for the Court's signature regarding discovery ordered today, is due by close of business on **February 20, 2013**; Defendant's response to apportionment of costs is due by noon (12:00 p.m. Mountain Time) on **February 22, 2013**.
  3. A Telephonic Status Conference is set for **February 25, 2013, at 3:00 p.m.** Counsel shall first conference together and then contact the Court's chambers at (303)844-4507 at the time of the hearing.
  4. Oral argument on Defendant HBH's Motion for Sanctions Under Fed. R. Civ. P. 37 against Plaintiff EEOC for Failure to Comply in Good Faith with the Court's Order (Doc. 267, filed 12/12/12) is set for **February 21, 2013, at 3:00 p.m.**

**Court in recess:** 1:34 p.m. (Hearing concluded)  
**Total time in court:** 3:25