

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

Civil Action:12-cv-00036-REB-CBS
Date: December 27, 2012

FTR - Reporter Deck-Courtroom A402
Courtroom Deputy: Robin Mason

Parties:

RAPID FUNDING, LLC.,

Plaintiff,

Counsel:

David K. TeSelle
Michael S. Burg
Thomas Willard Henderson , IV

v.

JAMES RIVER INSURANCE COMPANY,

Defendant.

Thomas P. Johnson
John Michael Bowlin

COURTROOM MINUTES/MINUTE ORDER

HEARING: TELEPHONIC DISCOVERY CONFERENCE

Court in Session: 3:30 p.m.

Court calls case. Appearances of counsel.

The court addresses the parties regarding the plaintiff's MOTION to Strike , in part, James River's Second Supplemental Responses to Discovery Requests Pursuant to Fed. R. Civ. P. 37 (Docket No.75, filed on 12/19/2012) and the plaintiff's MOTION in Limine to Preclude Reference to James River's Post-October 1, 2012 Conduct (Docket No. 87, filed on 12/21/2012).

Discussion between the court and the parties regarding Rule 37(c), Rule (b)(2)(a), Rule 26(e), Rule 7 pertaining to the word "pleading", Rule 37(b)(2), Rule 37(b)(2)(a)ii, and interrogatory number one (1).

The plaintiff's make an oral motion to withdraw the MOTION to Strike , in part, James River's Second Supplemental Responses to Discovery Requests Pursuant to Fed. R. Civ. P. 37 (Docket No.75, filed on 12/19/2012). The court grants the plaintiff's oral motion.

ORDERED: The court shall **WITHDRAW** the plaintiff's MOTION to Strike , in part, James

River's Second Supplemental Responses to Discovery Requests Pursuant to Fed. R. Civ. P. 37 (Docket No.75, filed on 12/19/2012).

Discussion between the court and the parties regarding the defendant's Joint MOTION for Hearing/Conference re #83 Order on Motion for Hearing/Conference Revised (Docket No. 84, filed on 12/21/2012). The court makes the parties aware that this motion has not been referred.

The parties update the court as to their attempts to engage in settlement discussions.

4:08 p.m. Off the record settlement discussion.

ORDERED: The parties shall put together a conference call to Magistrate Judge Shaffer's chambers (303.844.2117) on **January 4, 2013 at 11:30 a.m.** The purpose of this conference call shall be to provide the court with an oral status report. If after this conference call the court feels there is a realistic chance to settle this case, Magistrate Judge Shaffer will meet and confer with Judge Blackburn regarding setting a Settlement Conference.

HEARING CONCLUDED.

Court in recess: 4:20 p.m.

Total time in court: 00:50

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