

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE R. BROOKE JACKSON

Civil Action: 12-cv-00303-RBJ
Courtroom Deputy: Cathy Pearson

Date: December 29, 2014
Court Reporter: Tamara Hoffschmidt

Parties

Counsel

EAGLE SYSTEMS & SERVICES INC

Richard D. Kelly

Plaintiff

v.

EXELIS SYSTEMS CORPORATION

Joseph G. Martinez
Jon Jay Olafson

Defendant

COURTROOM MINUTES

TELEPHONE DISCOVERY CONFERENCE

Court in Session: 1:35 p.m.

Appearance of counsel via telephone.

Discussion held on discovery disputes regarding Rule 30(b)(6) depositions requested by Plaintiff and the topics for examination as outlined in Exelis Systems Corporation's Amended Objections and Responses to Eagle Systems & Services, Inc.'s Amended Notice of Rule 30(b)(6) Deposition (Doc. 106-1).

Court's findings.

ORDERED: The Court rules in favor of Defendant in part and for Plaintiff in part, as stated on the record.

Discussion held and argument given regarding Exelis Systems Corporation's Forthwith Rule 37(c)(1) Motion to Strike Plaintiff Eagle Systems & Services, Inc.'s December 8 Rule 26(a)(2) Disclosure of Michael Smigocki (Doc. 102), Motion for Expedited Relief on Forthwith Rule 37(c)(1) Motion to Strike Plaintiff Eagle Systems & Services, Inc.'s December 8 Rule 26(a)(2)

Disclosure of Michael Smigocki (Doc. 104), and the Forthwith Unopposed Motion to Seal and Restrict Access to Exhibits Filed with Exelis Systems Corporation's on Forthwith Rule 37(c)(1) Motion to Strike Plaintiff Eagle Systems & Services, Inc.'s December 8 Rule 26(a)(2) Disclosure of Michael Smigocki (Doc. 105).

Court's findings.

ORDERED: Exelis Systems Corporation's Forthwith Rule 37(c)(1) Motion to Strike Plaintiff Eagle Systems & Services, Inc.'s December 8 Rule 26(a)(2) Disclosure of Michael Smigocki (Doc. 102) is GRANTED as stated on the record. No supplemental expert reports or opinions will be permitted.

ORDERED: Motion for Expedited Relief on Forthwith Rule 37(c)(1) Motion to Strike Plaintiff Eagle Systems & Services, Inc.'s December 8 Rule 26(a)(2) Disclosure of Michael Smigocki (Doc. 104) is deemed MOOT.

ORDERED: Forthwith Unopposed Motion to Seal and Restrict Access to Exhibits Filed with Exelis Systems Corporation's on Forthwith Rule 37(c)(1) Motion to Strike Plaintiff Eagle Systems & Services, Inc.'s December 8 Rule 26(a)(2) Disclosure of Michael Smigocki (Doc. 105) is GRANTED as stated on the record.

Discussion held and argument given regarding Plaintiff's request for production of documents and interrogatories.

Court's findings.

ORDERED: Defendant shall produce to Plaintiff any document, regardless of the date, that has to do with the termination of the contract at issue.

ORDERED: Defendant shall produce to Plaintiff documents pertaining to the three invoices that were not paid.

Discussion held regarding settlement possibilities and extending the discovery deadline for completion of depositions.

ORDERED: The discovery deadline is extended to and including **January 30, 2015**, to allow time to complete depositions.

Court in Recess: 2:35 p.m.

Hearing concluded.

Total time in Court: 1:00