

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

Civil Action:12-cv-00750-WYD-CBS
Date: February 20, 2013

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

Parties:

PHILIP W. WYERS, *et al.*,

Plaintiffs/Counter Defendants,

Counsel:

Matthew Nelson
R. Parker Semler

v.

GREENBERG TRAURIG, LLP, *et al.*,

Defendants/Counter Claimants.

Abby Lynn Parsons
Meredith Martin Addy
Michael Lloyd Hutchinson

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in Session: 1:30 p.m.

Court calls case. Appearances of counsel.

The court addresses the parties regarding the MOTION for Leave to File Counterclaim (Docket No. 57, filed on 1/2/2013), the Renewed MOTION for Protective Order (Docket No. 60, filed on 1/28/2013), and the Amended MOTION to Amend/Correct/Modify [23] Scheduling Order Unopposed (Docket No. 68, filed on 2/5/2013).

The court shall start with the Renewed MOTION for Protective Order (Docket No. 60, filed on 1/28/2013) and the RESPONSE to #60 Renewed MOTION for Protective Order filed (Docket No. 74, filed on 2/18/2013).

Ms. Addy and Ms. Parsons present oral arguments and engage in discussion with the court. Relevant decisions and case law cited.

Mr. Semler presents oral argument and engage in discussion with the court. Relevant decisions and

case law cited.

Mr. Hutchinson presents oral argument and engages in discussion with the court.

Discussion between the court, Mr. Semler, Mr. Hutchinson, and Ms. Parsons regarding Rule 26(b)(1), Rule 26(c), 501 privilege, entering a protective order, Rule 26(b)(2)(c), Rule 36, interrogatories and requests for admission regarding the conflict report, and attorney-client privilege.

The court addresses the parties regarding their discovery requests, the scheduling order entered on 5/18/2012 (Docket No. 23), motions to compel, Rule 26(a), Rule 26(g).

The court moves next to the MOTION for Leave to File Counterclaim (Docket No. 57, filed on 1/2/2013), the RESPONSE to #57 MOTION for Leave to File Counterclaim (Docket No. 64, filed on 1/28/2013), and the REPLY to Response to #57 MOTION for Leave to File Counterclaim (Docket No. 72, filed on 2/14/2013).

Discussion between the court, Mr. Semler, and Mr. Hutchinson regarding this motion. Mr. Semler informs the court that he is no longer opposing this motion.

ORDERED: The court shall **GRANTS** the MOTION for Leave to File Counterclaim (Docket No. 57, filed on 1/2/2013).

The court moves next to the Amended MOTION to Amend/Correct/Modify [23] Scheduling Order Unopposed (Docket No. 68, filed on 2/5/2013).

Discussion between the court and the parties regarding the proposed discovery dates, use of experts, taking depositions, possible date for trial, and setting a final pretrial conference.

ORDERED: The court **GRANTS** the Amended MOTION to Amend/Correct/Modify [23] Scheduling Order Unopposed (Docket No. 68, filed on 2/5/2013). The new discovery deadlines are as follows: discovery cut off is **July 9, 2013**; dispositive motions deadline is **July 15, 2013**; affirmative experts shall be designated **no later than May 7, 2013**; and rebuttal experts shall be designated **no later than June 7, 2013**. A Final Pretrial Conference is set for **November 14, 2013 at 9:15 a.m.** Final Pretrial Order is due **no later than SEVEN (7) CALENDAR DAYS before the Final Pretrial Conference**. (See the court's website for Instructions for Preparation and Submission)

Further discussion between the court and the parties regarding discovery, what documents the parties need to complete discovery, defense counsel's problem getting documents, attorney-client privilege, Rule 502(a) pertaining to waivers, and Local Rule 16.6 pertaining to settlement conferences.

3:42 p.m. Off the record discussion regarding settlement.

3:49 p.m. Back on the record.

Further discussion regarding the dispositive motions deadlines.

HEARING CONCLUDED.

Court in recess: 3:50 p.m.

Total time in court: 02:20

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