

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01306-REB-KLM

SALBA CORP., N.A., a Canadian corporation,
SALBA SMART NATURALS PRODUCTS, a Colorado limited liability company,
WILLIAM A. RALSTON, and
RICHARD L. RALSON,

Plaintiffs,

v.

X FACTOR HOLDINGS, LLC, an inactive Florida limited liability company,
ANCIENT NATURALS, LLC, a Florida limited liability company,
MITCHELL A. PROPSTER, a resident of the State of Florida,
CORE NATURALS, LLC, a Florida limited liability company, and
NATURAL GUIDANCE, LLC, a Florida limited liability company,

Defendants.

ORDER

This matter is before the Court on numerous discovery disputes between the parties.

IT IS ORDERED as follows:

Counsel have been engaged in discovery abuse and abusive litigation practices, and I will not tolerate it. To attempt to cause the lawyers to live up to their professional and legal obligations, I will impose the following requirements before any future discovery motions are heard by the Court:

1. Counsel and each client involved in a discovery dispute must appear in person at any hearing concerning the dispute. In the case of a corporate client, the president or chief executive officer must attend.
2. After the lawyers have exhausted their obligation to confer under D.C.COLO.LCivR 7.1(a), but before calling the court regarding the discovery dispute, the lawyers must meet with their clients, review the positions they are taking, and obtain their clients' direction to proceed. Counsel must certify in writing prior to any discovery hearing that they complied with this

requirement, that the client understands the action being taken, and that the client expressly directs that the action be taken. The certificate of compliance must be filed with the court prior to the discovery hearing.

3. In the event that I award a monetary sanction in connection with the discovery dispute, I will award it against the client in view of the certificate that the client directed that the action be taken.

Dated: July 10, 2014

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kristen L. Mix". The signature is written in a cursive, flowing style.

Kristen L. Mix
United States Magistrate Judge