

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

Civil Action: 13-cv-00866-RM-CBS
Date: June 25, 2013

FTR - Reporter Deck - Courtroom A402
Courtroom Deputy: Courtni Covington

Parties:

Counsel:

VIAERO WIRELESS,

Plaintiff,

Matthew O. Stromquist
Christian H. Hendrickson

v.

NOKIA SIEMENS NETWORKS US LLC,

Defendant.

Jared R. Butcher
Steven K. Davidson

COURTROOM MINUTES/MINUTE ORDER

HEARING: STATUS CONFERENCE

Court in session: 10:48 p.m.

Court calls case. Appearances of counsel.

The court addresses the parties regarding **Defendant Nokia Siemens Networks US LLC's MOTION and Brief to Stay Discovery** [Doc. No. 18, filed 5/31/13].

Mr. Davidson presents oral argument on the pending motion and engages in discussion with the court. Discussion regarding the stay of discovery, the contract at issue, and arbitration.

Mr. Hendrickson presents oral rebuttal argument and engages in discussion with the court. Discussion between the court and Mr. Hendrickson regarding the contract and their rejection of arbitration.

Discussion between the court and counsel regarding relevant decisions and case law cited.

ORDERED: Defendant Nokia Siemens Networks US LLC's MOTION and Brief to Stay Discovery [Doc. No. 18, filed 5/31/13] is **GRANTED in part** and **DENIED in part**. The motion is denied to the extent that the motion seeks to stay all discovery. The parties are allowed to conduct discovery exercising requests for production under Rule 34 and are limited to 15 requests. The parties are

also required to do initial disclosures under Rule 26(a)(1) and may start serving discovery as of today.

Discussion regarding the failure of arbitration. The court proposes an agreement between the parties. Plaintiff would dismiss the claim in Federal court and go to arbitration. The parties would agree discovery in arbitration would be limited solely for the purpose of mediation. The parties agree that they will discuss and consider the court's proposal.

ORDERED: A Motion Hearing is set for **July 24, 2013 at 3:00 p.m.** The parties will present oral argument regarding Defendant Nokia Siemens Networks US LLC's MOTION and Brief to Compel Arbitration and to Dismiss or Stay This Proceeding.

HEARING CONCLUDED.

Court in recess: 11:44 a.m.

Total time in court: 0:56

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