

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe**

Civil Action No. 13-cv-01412-MSK-MJW

FTR - Courtroom A-502

Date: February 04, 2014

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

HUNTER DOUGLAS, INC., and
ANDREW J. TOTI TESTAMENTARY TRUST,

Miranda C. Rogers

Plaintiff(s),

v.

NIEN MADE ENTERPRISE CO. LTD.,
NORMAN INTERNATIONAL, INC.,
NORMAN INTERNATIONAL COLORADO, LLC,
RICHFIELD WINDOW COVERINGS, INC.
d/b/a NIEN MADE U.S.A., and
GLOBAL CUSTOM COMMERCE, INC.
d/b/a BLINDS.COM,

Kourtney M. Merrill

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: TELEPHONIC STATUS CONFERENCE

Court in Session: 10:31 a.m.

Court calls case. Appearances of counsel. Also on the conference call for Plaintiffs is Kristopher Reed, and for Defendants is Douglas Sawyer.

Discussion is held regarding status of the case and pending motions.

It is noted that due to the volume of the motion, Plaintiffs' Motion for Leave to File Second Amended Complaint is filed in increments under 4 different docket entries. Defendants advise the Court they take no position as to the filing of the motion.

It is ORDERED: Plaintiffs' MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT [Docket No. **77, 78, 79**, and **80** filed December 30, 2013] is **GRANTED** for reasons as set forth on the record. Plaintiffs' SECOND AMENDED COMPLAINT is accepted for filing as of FEBRUARY 04, 2014.

The Clerk of the Court is directed to file Plaintiffs' Second Amended Complaint which consists of the following entries:

Docket Entry attachments **77-1** through **77-8**:
Exhibit 1, Second Amended Complaint
Exhibit A, Part 1, Part 2, Part 3, Part 4, and Part 5
Exhibit B, Part 1, and Part 2

Docket Entry attachments **78-1** through **78-4**
Exhibit B, Part 3, Part 4, Part 5, and Part 6

Docket Entry attachments **79-1** through **79-4**
Exhibit C, Part 1, Part 2, Part 3, and Part 4

Docket Entry attachments **80-1** through **80-3**
Exhibit C, Part 5, and Part 6
Exhibit D

As the SECOND AMENDED COMPLAINT is now the operative pleading, Defendant makes an Oral Motion to Withdraw its Motion to Dismiss. With no objections,

It is ORDERED: Defendant Nien Made Enterprise Co., Ltd's ORAL MOTION TO WITHDRAW its Motion to Dismiss [Docket No. 31] is GRANTED, and

It is ORDERED: Defendant Nien Made Enterprise Co., Ltd's MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT FOR LACK OF PERSONA JURISDICTION AND IMPROPER VENUE [Docket No. 31, filed September 03, 2013] is **WITHDRAWN without prejudice**, with leave to re-file a Motion to Dismiss.

It is ORDERED: A **TELEPHONIC STATUS CONFERENCE** is set **APRIL 15, 2014 at 9:30 a.m.** (Mountain Time).

All participating parties are to be on the call *before* the Court is contacted; Plaintiff shall create the conference call. Once the conference call is established, the Court shall be added as the final connection by dialing (303) 844-2403 at the scheduled time. For a more adequate connection, counsel are asked no to use cell phones during the conference call.

Hearing concluded.

Court in recess: 10:47 a.m.
Total In-Court Time 00:16

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