

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

Civil Action No. 13-cv-01702-RM-MJW

FTR - Courtroom A-502

Date: January 15, 2014

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

HASCO, INC., OF NEW MEXICO,

David R. Ball

Plaintiff(s),

v.

FIRST AMERICAN TITLE INSURANCE COMPANY,

Steven P. Bailey

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: TELEPHONIC MOTION HEARING

Court in Session: 1:33 p.m.

Court calls case. Appearances of counsel.

The Court raises Defendant's Motion to Compel [Docket No. 20] for argument. Discussion is held regarding the Plaintiff's responses to Defendant's first set of Interrogatories and Requests for production of documents. (filed as attachment 20-1).

It is noted responses have been provided in the forms of correspondence , original responses, supplemental and second supplemental responses. The second supplemental response were sent by email from Plaintiff to Defendant last night. Those supplemental responses are now emailed to the Court for the purposes of this hearing.

Defendant notes the signature pages of the responses are not notarized.

It is ORDERED: **On or before JANUARY 29, 2014**, Plaintiff shall provide signature pages with notarized signatures as to each set of responses. Any future responses shall be filed with signature under notary.

As to the Requests for Production 1, 2, and 3, Plaintiff represents that there are no further documents to be produced. The earlier appraisal done by Randy Perry will be provided.

It is ORDERED: **On or before JANUARY 22, 2014**, Plaintiff shall provide to Defendant a copy of the earlier appraisal on the subject property done by Randy Perry.

Defendant advises the Court which responses to Interrogatories are not in dispute:
1, 2, 3, 4, 5, 10, 12, and 15

Defendant advises the Court which responses to Interrogatories are in dispute:
6, 7, 8, 9, 11, 13, 14, 16, and 17.

It is ORDERED: Defendant's MOTION TO COMPEL [Docket No. **20**, filed December 19, 2013] is **GRANTED IN PART and DENIED IN PART**.
Each party shall pay its own attorneys fees and costs of this subject motion.

That portion of the Motion to Compel which addresses the Requests for Production is DENIED WITHOUT PREJUDICE for reasons as set forth on the record.

That portion of the Motion to Compel which addresses Interrogatories numbered 6, 7, 8, 9, 11, 16, and 17 is DENIED for reasons as set forth on the record.

That portion of the Motion to Compel which addresses Interrogatories numbered 13 and 14 is GRANTED for reasons as set forth on the record. Responses to Interrogatory 13 and Interrogatory 14 are found to be deficient and shall be supplemented.

It is ORDERED: **On or before JANUARY 29, 2014**, Plaintiff shall provide Supplemental responses to Interrogatories **13** and **14**.

It is ORDERED: Plaintiff shall provide bates stamp numbers for all various supplemental correspondence and documents recently delivered to Plaintiff.
As the bates stamp numbered documents may relate to more than one Interrogatory, Plaintiff shall identify each, any and all Interrogatories to which the numbers are applicable.

Parties make a Joint Oral Motion to Extend certain deadlines.

It is ORDERED: The JOINT ORAL MOTION to Extend certain deadlines is **granted**.
Therefore, the Scheduling Order [Docket No. 14, filed August 26, 2013] is amended.
Discovery Cut-off is extended to **MARCH 14, 2014**
Dispositive Motion Deadline is extended to **APRIL 14, 2014**.

The Final Pretrial Conference remains set May 05, 2014 at 9:00 a.m. Deadline to file proposed Final Pretrial Order remains set April 28, 2014.

Hearing concluded.

Court in recess: 3:00 p.m. Total In-Court Time: 01:27

To order a transcript of this proceedings, contact Avery Wood Reports (303) 825-6119 or Toll Free 1-800-962-3345.