

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

Civil Action: 13-cv-02157-RBJ-CBS
Date: April 1, 2014

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

Parties:

KSB TRUCKING,

Plaintiff,

v.

STAG ENERGY SERVICES, LLC,

David J. Dansky

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in Session: 2:13 p.m.

Court calls case. Appearances of counsel.

This matter is before the court regarding **Plaintiff's Motion for Sanctions for Defendant's Failure to Obey Discovery Order** [Doc. No. 26].

Discussion held regarding Mr. Dansky's tardiness to today's hearing.

Discussion between the court and counsel regarding Defendant's failure to comply with District Judge Jackson's Order [Doc. No. 25] and each side's position as to the appropriate sanction. Counsel for Plaintiff provides to the court the Spreadsheet produced by the Defendant.

The court makes findings. For the reasons stated on the record, it is

ORDERED: *Plaintiff's Motion for Sanctions for Defendant's Failure to Obey Discovery Order* [Doc. No. 26, filed 2/19/2014] is **GRANTED**.

ORDERED: The court will **REQUIRE** counsel for Plaintiff submit a bill of costs for the filing of both *Motions to Compel* [Doc. Nos. 18 and 20] and for the filing of the *Motion for Sanctions* [Doc. No. 26] **within 10 days of today's date**. Defense counsel shall have **10 days** to file a Response. Reasonable costs as determined by the court are to be paid jointly and severally.

In lieu of limiting evidence at trial, the court will **REQUIRE** the Defendant to produce a designated witness for a 30(b)(6) deposition, which should take place in Denver **within 30 days from today's date** and be limited to no more than 7 hours. Defendant Stag Energy Services, LLC shall be responsible for the cost of the deposition, including Plaintiff's attorney's fees for the length of time of the deposition.

Relevant case law cited by the court.

The court informs the parties that only a ruling from the bench will issue, no written order will follow, and therefore the amount of days to file an objection should be calculated from today's date.

Counsel for Plaintiff requests clarification of the court's order regarding sanctions.

3:13 p.m. Off the record.

HEARING CONCLUDED.

Court in recess: 3:36 p.m.

Total time in court: 01:23

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