

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
MAGISTRATE JUDGE MICHAEL E. HEGARTY

Civil Action No. 13-cv-02684-RM-MEH
Courtroom Deputy: Cathy Pearson

Date: February 25, 2014
FTR – Courtroom A501

FOUR WINDS INTERACTIVE LLC,

Evan Rothstein

Plaintiff,

vs.

ACTIVISION TV, INC.,

Darren Schwiebert
David Swenson (by phone)

Defendants.

COURTROOM MINUTES/MINUTE ORDER

TELEPHONIC MOTION HEARING

Court in session: 2:00 p.m.

Court calls case. Appearances of counsel. Present with Mr. Rothstein is Jenny Brook and David Levin.

Argument and discussion regarding Defendant Activision TV, Inc.'s Motion to Stay Discovery Pending Motion to Dismiss (Doc. 27, filed 1/9/14) and Four Winds Interactive LLC's Motion for Consolidation (Doc. 13, filed 11/26/13).

- ORDERED:**
1. Four Winds Interactive LLC's Motion for Consolidation (Doc. 13, filed 11/26/13) is **GRANTED** as stated on the record. Case numbers **13-cv-02332-RM-MEH and 13-cv-02684-RM-MEH** will be consolidated for all purposes.
 2. Defendant Activision TV, Inc.'s Motion to Stay Discovery Pending Motion to Dismiss (Doc. 27, filed 1/9/14) is **DENIED** without prejudice as stated on the record, pending the ruling on the motion to dismiss.

Discussion held regarding case number **13-cv-02332-RM-MEH**, which is part of the motion to consolidate in this case, Four Winds Interactive LLC's Motion to Intervene, or in the Alternative, Motion to Consolidate (Doc. 24, filed 11/26/13), and extending the deadline for disclosing invalidity contentions.

ORDERED: Case number **13-cv-02332-RM-MEH**, Four Winds Interactive LLC's Motion to Intervene, or in the Alternative, Motion to Consolidate (Doc. 24, filed 11/26/13) is **DENIED** as moot.

Discussion held regarding setting a hearing on Defendant Activision TV, Inc.'s Motion to Dismiss Plaintiff's Complaint for Declaratory Judgment (Doc. 15, filed 12/2/13).

ORDERED: The Court will hear oral argument on Defendant Activision TV, Inc.'s Motion to Dismiss Plaintiff's First Amended Complaint (Doc. 20, filed 12/18/13) on **March 3, 2014, at 2:00 p.m.**

Court in recess: 3:37 p.m. (Hearing concluded)

Total time in court: 1:37

To obtain a transcript of this hearing, please contact Avery Woods Reporting at (303)825-6119.