

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No: 13-cv-03206-WJM-KMT
Courtroom Deputy: Sabrina Grimm

Date: February 3, 2016
FTR: Courtroom C-201

Parties:

CREW TILE DISTRIBUTION, INC.,

Plaintiff, Counter Defendant

v.

PORCELANOSA LOS ANGELES, INC.,
PORCELANOSA NEW YORK, INC.,
PORCELANOSA TEXAS, INC., and
PROVEN, LTD., all d/b/a PORCELANOSA USA,

Defendants, Counter Plaintiffs, and Third-Party
Plaintiffs,

v.

RYAN A. DAVIS, an individual,
DARLYNE A. DAVIS, an individual,
GLENN L. DAVIS, an individual,
SHANA L. BASTEMEYER, an individual,
PARADIGM TILE & STONE DISTRIBUTORS, LLC, a
Colorado limited liability company, and
G&D DAVIS HOLDINGS, LLC, a Nevada limited
liability company,

Third-Party Defendants.

COURTROOM MINUTES

MOTION HEARING

1:30 p.m. Court in session.

Court calls case. Appearances of counsel.

Discussion and argument regarding base level sales invoices.

Mr. Thomaidis tenders Defendants' Exhibits A, B, C, and D to the Court for purposes of this hearing.

ORDERED: Plaintiff's Motion to Compel Responses to Written Discovery [148] is GRANTED IN PART AND DENIED IN PART. Discovery is permitted for the limited purpose of allowing Plaintiff to conduct a Rule 30(b)(6) deposition, limited to three hours, as discussed in order to authenticate and explain Exhibit A. The deposition shall be completed within 60 days.

ORDERED: Defendants' Exhibit A shall be held under Restriction Level 3.

Discussion and argument regarding financial documents showing costs, bank records from Crew Tile and Paradigm, and the notebook used during the Darlene Davis deposition.

ORDERED: Defendants are permitted to conduct a Rule 30(b)(6) deposition, limited in scope to the financial documents produced by Crew Tile in November, 2015, as discussed. The deposition shall be completed within 60 days. The parties shall meet and confer regarding whether the deposition may extend to documents which may be produced after further consultation between the parties as discussed during the hearing

Mr. TeSelle tenders Plaintiff's Exhibit 1 to the Court for purposes of this hearing.

ORDERED: Plaintiff's Exhibit 1 shall be held under Restriction Level 3.

ORDERED: Defendants' Resubmitted Motion to Compel Responses to Discovery From Plaintiff and Third Party Defendants [161] is GRANTED IN PART AND DENIED IN PART, as discussed. The issue of whether the notebook used during the Davis deposition was properly redacted is TAKEN UNDER ADVISEMENT. The Court will issue a written order regarding the notebook after in camera review.

3:23 p.m. Court in recess.

Hearing concluded.

Total in-court time 01:53

*To obtain a transcript of this proceeding, please contact Stevens-Koenig Reporting at 303-988-8470.