

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
MAGISTRATE JUDGE NINA Y. WANG

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Civil Action: 14-cv-00638-CMA-NYW Date: March 18, 2015  
Courtroom Deputy: Brandy Simmons FTR: NYW COURTROOM C-205

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*Parties*

*Counsel*

ARKANSAS RIVER POWER AUTHORITY,

*Scott Thomas Rodgers  
Craig Norris Johnson*

**Plaintiff,  
Counter Defendant,**

v.

BABCOCK & WILCOX POWER GENERATION  
GROUP, INC.,

*John Michael Bowlin  
Thomas Clay Bell*

**Defendant,  
Counter Claimant.**

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**COURTROOM MINUTES/MINUTE ORDER**

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**MOTION HEARING**

Court in Session: 1:39 p.m.

Appearance of counsel. Mr. Rick Rigel appears for Plaintiff.

Discussion held on Stipulated Joint Motion to Restrict Access [71] filed March 11, 2015.

**ORDERED: Stipulated Joint Motion to Restrict Access [71] is GRANTED. Exhibits 82, 112, 115 and 128 [docket numbers 39-3, 39-4, 39-6, 39-7] are restricted to Level 1 access.**

Argument held on the Motion to Amend Complaint and Jury Demand [39] filed on October 24, 2014.

For the reasons stated on the record, it is

**ORDERED: Motion to Amend Complaint and Jury Demand [39] is GRANTED. The Clerk of the Court is directed to accept the First Amended Complaint and Jury Demand [39-1] for filing.**

Argument held on the Motion to Compel Further Responses to Discovery [35] filed on October 21, 2014.

For the reasons stated on the record, it is

**ORDERED: Motion to Compel Further Responses to Discovery [35] is SUBMITTED and TAKEN UNDER ADVISEMENT.**

Argument held on the Motion to Quash Defendant's Fed.R.Civ.P 30(b)(6) Notice of Deposition and for Protective Order [60] filed on January 30, 2015.

For the reasons stated on the record, it is

**ORDERED: Motion to Quash Defendant's Fed.R.Civ.P 30(b)(6) Notice of Deposition and for Protective Order [60] is TAKEN UNDER ADVISEMENT. Parties shall meet and confer to limit the items at issue. Separate order to issue.**

**ORDERED: Parties shall file a joint status report on or before March 23, 2015, discussing what issues are agreed to with respect to the topics for a Rule 30(b)(6) deposition and what, if any, issues remain. The Parties are also directed to identify any issues with the two additional fact depositions that they seek to take.**

**ORDERED: Babcock & Wilcox Power Generation Group, Inc.'s Motion to Amend Scheduling Order [42] is GRANTED IN PART. The discovery deadline, dispositive motion deadline, pretrial order deadline, and final pretrial conference are vacated and shall be reset after the status report is filed.**

Court in recess: 3:22 p.m. Hearing concluded. Total time in court: 01:43