

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

Civil Action No: 14-mc-00226-MSK-KMT  
Courtroom Deputy: Sabrina Grimm

Date: January 13, 2015  
FTR: Courtroom C-201

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Parties:

GRUPO UNIDOS POR EL CANAL, S.A.,

Plaintiff,

v.

CH2M Hill, et. al.

Defendants.

Counsel:

Francis Vasquez  
Frank Panopoulos

Kenzo Kawanabe  
Tom McNamara

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**COURTROOM MINUTES**

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**MOTION HEARING**

**1:30 p.m. Court in session.**

Court calls case. Appearances of counsel.

Also present, Matthew Hoffman, Phillip Dye, and James Loftis on behalf of Intervenor Autoridad Del Canal de Panama.

Discussion and argument regarding intervention by Autoridad Del Canal de Panama, also known as ACP.

**ORDERED: Autoridad Del Canal de Panama's Motion for Leave to Intervene in the 28 U.S.C. § 1782 Action Initiated by Grupo Unidos Por el Canal, S.A. [8] is GRANTED. The Court will permit permissive intervention by ACP.**

Discussion and argument regarding international arbitration status, application of 28 U.S.C. § 1782, Whitesell declaration, receptiveness of the arbitration panel to discovery, location and burden to produce documents, and IBA rules.

Mr. Dye tenders a handout to the Court and the law clerk. The handout has been used a demonstrative exhibit for purposes of this hearing.

**3:27 p.m. Court in recess.**

**3:45 p.m. Court in session.**

Discussion and argument regarding the declaration of Anne Whitesell and legal conclusions opined by Ms. Whitesell.

**ORDERED: Autoridad Del Canal de Panama's Motion to Strike the Declaration of Anne Marie Whitesell [15] and Grupo Unidos Por el Canal [1] Application for an Order Under 28 U.S.C. 1782 are TAKEN UNDER ADVISEMENT. The Court will issue a written order.**

**3:52 p.m. Court in recess.**

Hearing concluded.

Total in-court time 02:04

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