

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

Civil Action: 15-cv-00179-WYD-NYW Date: November 5, 2015
Courtroom Deputy: Brandy Simmons FTR: NYW COURTROOM C-204

Parties

Counsel

IT PORTFOLIO, INC.,

Dustin John Priebe

Plaintiff,

v.

NER DATA CORPORATION,

James Lee Gray

Defendant.

COURTROOM MINUTES/MINUTE ORDER

MOTION HEARING

Court in Session: 1:30 p.m.

Appearance of counsel. Mr. Mark Lessner and Mr. Jack Drose appear with Mr. Priebe. Mr. Steve Oatway appears with Mr. Gray.

Discussion held regarding defendant's plan for alternative counsel. Mr. Oatway believes they will secure counsel within four weeks.

Discussion held regarding Unopposed Motion to Withdraw as Counsel of Record [24] filed October 5, 2015.

ORDERED: The Unopposed Motion to Withdraw as Counsel of Record [24] is GRANTED. J. Lee Gray is withdrawn as counsel of record for Defendant NER Data Products and is removed from electronic service. Defendants shall have counsel enter an appearance on or before December 11, 2015.

ORDERED: A further status conference is set for December 14, 2015, at 11:00 a.m. Parties should be prepared to address when depositions will occur, and any discovery deadlines that may be affected.

ORDERED: The court vacates the Final Pretrial Conference currently set for February 11, 2016, the proposed Pretrial Order deadline, The Discovery Deadline of November 6, 2015, is extended for the sole purpose of allowing defendants to respond to outstanding discovery, and for the 30(b)(6) depositions to occur.

ORDERED: Defendants outstanding discovery responses are due on or before December 21, 2015.

Discussion held on Verified Motion for Protective Order [26] filed October 6, 2015.

ORDERED: Verified Motion for Protective Order [26] is **GRANTED IN PART** and **DENIED IN PART**. Defendant shall provide dates deponents are available for a 30(b)(6) deposition in the New Jersey and Philadelphia area, to occur in January 2016, at the latest.

Discussion held on Motion for Sanctions Pursuant to Fed. R. Civ. P. 37(d) [34] filed November 3, 2015.

ORDERED: Motion for Sanctions Pursuant to Fed. R. Civ. P. 37(d) [34] is **DENIED** with leave to refile.

Court in Recess: 2:02 p.m.

Hearing concluded.

Total time in Court: 00:32