

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

Civil Action: 15-cv-00204-RM-NYW
Courtroom Deputy: Brandy Simmons

Date: May 11, 2015
FTR: NYW COURTROOM C-205

Parties

Counsel

DAVID ARONSTEIN,
LESLEY STROLL,

Michael M. Strage (via telephone)

Plaintiffs,

v.

THOMPSON CREEK METALS COMPANY, INC.,
KEVIN LOUGHREY,
PAMELA SAXTON,
PAMELA SOLLY,
JAMES L. FREER,
JAMES P. GEYER,
TIMOTHY J. HADDON,
CAROL T. BANDUCCI,
THOMAS J. ONEIL,
DENIS C. ARSENAULT,
WENDY CASSITY,

*Allison Kaye Kostecka
Gregory J. Kerwin*

Defendants,

COURTROOM MINUTES/MINUTE ORDER

MOTION HEARING AND STATUS CONFERENCE

Court in Session: 2:03 p.m.

Appearance of counsel. David Aronstein and Charles Minton appear with Mr. Strage by telephone. Wendy Cassity and Ann DeMarco appear with Ms. Kostecka and Mr. Kerwin.

The Court requests a status report of service on all named defendants. James P. Geyer, Carol T. Banducci, Thomas J. Oneil,¹ and Denis C. Arsenault have not yet been served.

Parties discuss the status of ESI protocol.

Parties discuss status of initial document requests as outlined in the Joint Status Conference Update [57] filed May 8, 2015.

Argument held on Defendants' Motion to Stay Discovery Pending a Decision on Their Motion to Dismiss [30] filed on March 13, 2015 and specifically, on the Parties' disputes over certain discovery requested by Plaintiff and resisted by Defendants.

For the reasons stated on the record, it is

ORDERED: Defendants' Motion to Stay Discovery Pending a Decision on Their Motion to Dismiss [30] is TAKEN UNDER ADVISEMENT. A separate written order shall issue.

Parties are advised of informal discovery dispute process.

Discussion held on Defendants Thompson Creek Metals Company Inc., Kevin Loughrey, Pamela Saxton, Pamela Solly, James L. Freer, Timothy J. Haddon, and Wendy Cassity's Motion to Dismiss Plaintiffs' First Amended Complaint [22] filed on March 6, 2015.

Parties request oral argument on Defendants Motion to Dismiss. Counsel will have to appear in person for oral argument. The Court will work with counsel to set a date for oral argument at the beginning of June.

Court in recess: 2:53 p.m. Hearing concluded. Total time in court: 00:50

¹ It is unclear what is the proper last name for this Defendant, as it is reflected as "ONEIL" and "O'NEILL" in the Amended Complaint. [#4 at 2, 4].