

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
RENO, NEVADA

DENNIS MONTGOMERY, et al., )  
)  
Plaintiff(s), )  
)  
vs. )  
)  
ETREPPID TECHNOLOGIES, )  
et al., )  
)  
Defendant(s). )  
\_\_\_\_\_ )

3:06-CV-0056-PMP-VPC

MINUTES OF PROCEEDINGS

DATED: November 15, 2007

PRESENT: THE HONORABLE VALERIE P. COOKE, MAGISTRATE JUDGE

Deputy Clerk: Lisa Mann Court Reporter: FTR

Counsel for Plaintiff(s): Deborah Klar, Mark Gunderson, and (Telephonically) Tuneen Chisolm

Counsel for Defendant(s): Stephen Peek and Jerry Snyder

Counsel for Interested Party: Carlotta Wells, Raphael Gomez, and Gregory Addington

PROCEEDINGS: DISCOVERY STATUS CONFERENCE

10:36 a.m. Court convenes.

The Court addresses the parties regarding the purpose of this hearing and reviews the minutes of the October 11, 2007 case management hearing.

The Court advises the parties that there are three issues to be discussed at this hearing: (1) staging of discovery, (2) electronically stored discovery, and (3) the notice regarding discovery protocols filed by the United States.

The Court and the parties discuss how discovery shall be staged in this action.

Having heard from the parties and good cause appearing, the Court finds that it shall allow written discovery to commence first. The deadline for the initial stage of written discovery is **Friday, February 15, 2008**. There shall be no depositions taken at this time. To the extent issues arise regarding written discovery, the Court shall hear those disputes at the monthly discovery status conferences currently scheduled in this matter.

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11:53 a.m. Court recesses.

1:18 p.m. Court reconvenes.

The Court and the parties discuss the issue of electronically stored discovery.

The parties agree that to the extent they will produce electronically stored information, such discovery shall be produce in its native format. With respect to documents that are not in their native format, that discovery shall be Bates numbered and produced in the usual fashion.

The Court and the parties discuss the protocol the United States is interested in implementing as it concerns their participation and review of documents produced in this action.

Having heard from the parties, the Court finds that it shall take this issue under submission to review hearings of the District Court, Ms. Klar's proposed draft, and the proposed draft of the United States.

IT IS ORDERED that the parties shall file simultaneous briefs regarding this issue no later than **Friday, November 30, 2007** by **3:00 p.m.**

2:18 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: \_\_\_\_\_/s/\_\_\_\_\_  
Lisa Mann, Deputy Clerk