

DISTRICT COURT
CLARK COUNTY, NEVADA

Business Court

COURT MINUTES

May 11, 2009

08A558629

Ted Burke, Michael Kehoe, et al

vs

Larry Hahn, Hahn's World Of Surplus Inc, et al

May 11, 2009

3:45 PM

Mandatory Rule 16
Conference

HEARD BY: Denton, Mark R.

COURTROOM: RJC Courtroom 12A

COURT CLERK: Susan Burdette

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Clary, Patrick	Attorney
	Charles	
	Segel, M. Nelson	Attorney
	Taylor, Jennifer Lane	Attorney

JOURNAL ENTRIES

- IN CHAMBERS: Mr. Clary stated the 16.1 Case Conference Report is being put together and will probably have it filed within a week. Regarding discovery issues, Ms. Taylor stated she prefers the Court handle discovery issues. Following colloquy regarding same, Court stated that right now discovery issues will remain with the Discovery Commissioner.

Following colloquy as to a Settlement Conference, Court stated that if and when there is a consensus that a Settlement Conference would be beneficial, counsel to contact the Court's JEA, who will advise how to proceed; and if there is no consensus but one side feels a Settlement Conference would be beneficial, counsel can file a motion as to same. Mr. Segel stated some motion practice needs to be completed first, and that would narrow the issues as to a Settlement Conference.

Upon Court's inquiry as to case management issues, counsel made statements as to Deft's records. Ms. Taylor referred to the restraining order that documents, including electronic records, not be destroyed; and expressed concern that she cannot get a commitment as to the hard drives of the

computers. Mr. Clary stated they have stipulated to that already. Mr. Segel made statements as to not having computerized records to erase. Upon Court's inquiry, Ms Taylor stated there is an Order in effect not to destroy documents. Mr. Clary made further statements. Upon Court's inquiry, Mr. Clary advised they will not stipulate that it includes hard drives. Further statements by counsel. Court directed counsel to try to work it out and if they cannot, counsel can file a motion as to same. Further statements by counsel. Mr. Clary stated that if any associates of his or Mr. Segel's client have advised there has been a destruction of documents, advise him and he will sign a Stipulation. Court directed counsel to try to work it out and if they cannot do so, bring it to the Court's attention.

Court directed counsel to file the Case Conference Report so the Discovery Commissioner can issue a Scheduling Order; and directed counsel to try to let the Court know if and when a Settlement Conference would be ripe.