

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO
CHIEF U.S. MAGISTRATE JUDGE MINUTE ORDER
And NOTICE OF HEARING

Judge: Larry M. Boyle
Date: MARCH 31, 2004
ESR: Vicki Jones (Boise, Idaho)

Deputy Clerk: Lynette C. Case
Case #: CV.03-450-E-LMB
10:30-11:00 am

POCATELLO DENTAL GROUP,
Plaintiff ,

Ron Kerl,
Attorney for Plaintiffs,

vs.

INTERDENT SERVICE CORPORATION,
Defendants.

Scott J. Kaplan/Sue Hawkes for
Lowell N. Hawkes/Richard A.
Hearn,
Attorneys for Defendants.

TELEPHONE STATUS CONFERENCE:

The Court noted Mr. Hawkes was not served with notice of today's hearing and for that reason no firm settings were established.

The parties previously filed a stipulated Litigation Plan. (Docket No. 75) However, counsel for PDG has reservations about the dates and apparently has not signed it. Further, although Mr. Hawkes has signed the stipulation it appears that he too has reserved a question as to some of the dates. Accordingly, the Court required counsel to confer privately to discuss and attempt to agree on a litigation plan.

Mr. Kerl was designated to coordinate the private telephone conference among counsel prior to the continuation of the scheduling conference on April 7, 2004.

Counsel are to privately confer via telephone conference call and attempt to reach an agreement upon: 1) a stipulated litigation plan, 2) the trial date to be selected from among those available to the Court, and 3) confirmation that all are available for a hearing on all pending motions in Pocatello on July 27, 2004.

Mr. Kaplan was designated to draft and circulate for signature and then submit for filing a second stipulated litigation plan, provided the parties are able to agree on its contents. For counsel's convenience a copy of the final stipulation bearing counsels' signatures may be filed by facsimile at 208-334-9215 no later than Tuesday, April 6, 2004, with the original to be filed in due course in the usual manner through the Clerk's Office.

NOTICE OF HEARING: Court discussed available dates to continue this Scheduling Conference by telephone conference call and all counsel agreed upon 11:00 a.m. (Mtn. Time), APRIL 7, 2004. Mr. Kaplan shall initiate the Conference Call to Judge Boyle's Chambers at (208) 334-1495.

AVAILABLE TRIAL DATES: The Court advised counsel of its available trial dates for a 10-day First Setting: December 6, 2004, March 28, 2005, or April 25, 2005, at Pocatello, Idaho. Second Setting 10-day trial dates are: November 1, 2004 or November 15, 2004.

HEARING DATE FOR PENDING MOTIONS: The Court advised it shall set all pending motions for hearing at Pocatello on July 27, 2004.

PENDING MOTIONS:

1-Defendant Interdent's Motion to Conduct Expedited Depositions (Doc. 18) is MOOT per stipulation.

2-Counterdefendant Romriell's Motion to Quash Subpoena (Doc. 24) is MOOT per stipulation.

3-Motions designated as Docket Nos. 45, 58 and 63 are ready for review.

4-Motions designated as Docket Nos. 68, 70, 79 and 81 are not yet ripe for review awaiting reply briefs.

At the continuation of the scheduling conference on Wednesday, April 7, 2004, counsel shall advise the Court of those motions upon which oral argument is requested, and any motions which may be submitted on the briefs.

This Minute Entry shall constitute the Order of the Court.

United States District Court
for the
District of Idaho
March 31, 2004

* * CLERK'S CERTIFICATE OF MAILING * *

Re: 4:03-cv-00450

I certify that I caused a copy of the attached document to be mailed or faxed to the following named persons:

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____ Judge Edward J. Lodge
____ / Chief Magistrate Judge Larry M. Boyle
____ Magistrate Judge Mikel H. Williams

Visiting Judges:
____ Judge David O. Carter
____ Judge John C. Coughenour
____ Judge Thomas S. Zilly

Cameron S. Burke, Clerk

Date: 4-1-04

BY: 
(Deputy Clerk)