

U.S. COURTS

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO
RECD FILED
CLERK
JAMES S. BURKE
IDAHO

KIMBERLEY SMITH and MICHAEL B. HINCKLEY, individually and on behalf of those similarly situated,

Plaintiffs,

vs.

MICRON ELECTRONICS, INC., a Minnesota corporation,

Defendant.

) Case No. CIV 01-0244-S-BLW

) **STIPULATION AND ORDER FOR**
) **KIMBERLY SMITH'S APPEARANCE AT**
) **DEPOSITION DUCES TECUM**

WHEREAS, the parties desire to have Plaintiff Kimberly Smith's deposition go forward in this case pursuant to Stipulation and Order;

WHEREAS, Ms. Smith's deposition was originally noticed for December 19, 2001, and later taken off calendar at her request for claimed medical reasons; the deposition was reset for January 3, 2002, by agreement of counsel but Ms. Smith indicated she would be out of the country on vacation and unavailable until mid-January; Ms. Smith's deposition was next set for February 1, 2002, but on or about January 30, 2002, was called off at Ms. Smith's request because she purported to have real estate closings on that day; Ms. Smith's deposition

STIPULATION AND ORDER FOR KIMBERLY SMITH'S APPEARANCE AT DEPOSITION DUCES TECUM - Page 1

was then set for February 6, 2002; however, on February 5, 2002, Ms. Smith indicated that she would not be available for her deposition because she had business to attend to;

IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel as follows:

1. That Plaintiff Kimberly Smith be ordered to appear for her deposition duces tecum on February 15, 2002 at 9:00 a.m. at the offices of Stoel Rives, LLP, 101 South Capitol Blvd., Suite 1900, Boise, Idaho, 83702 and produce documents as set forth in Defendant's Fourth Amended Notice of Deposition.

I have read the terms of this Order and respectfully request that the Court grant the relief sought.

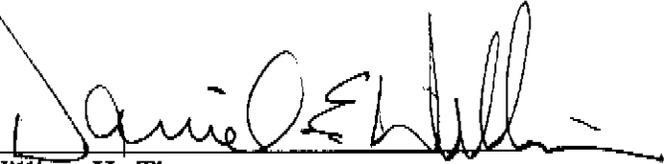
DATED this 8th day of February, 2002.



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Attorneys for Defendant Micron Electronics, Inc.

I have read the terms of this Order and respectfully request that the Court grant the relief sought.

DATED this 8th day of February, 2002.



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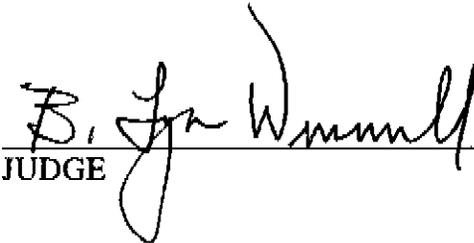
ORDER

IT IS SO ORDERED.

DATED:

February 14, 2002

JUDGE



United States District Court
for the
District of Idaho
February 19, 2002

* * CLERK'S CERTIFICATE OF MAILING * *

Re: 1:01-cv-00244

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

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- Chief Judge B. Lynn Winmill
- Judge Edward J. Lodge
- Chief Magistrate Judge Larry M. Boyle
- Magistrate Judge Mikel H. Williams

Cameron S. Burke, Clerk

Date: 2-19-02

BY: 
(Deputy Clerk)