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DISTRICT OF UTAH

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JUDGE TENA CAMPBELL

BY: DELOREAN

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U.S. MAGISTRATE  
MAY 19 2004

Attorneys for David K. Broadbent, as Receiver  
for Merrill Scott & Associates, Ltd., *et al.*

U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

<p>DAVID K. BROADBENT as RECEIVER for MERRILL SCOTT &amp; ASSOCIATES, LTD., <i>et al.</i>,</p> <p>Plaintiff,</p> <p>vs.</p> <p>CGI INTERNATIONAL HOLDINGS, INC., <i>et al.</i>,</p> <p>Defendants.</p>	<p><b>ORDER DENYING DEFENDANTS' MOTION TO COMPEL AND MOTION TO EXTEND TIME FOR FILING DISPOSITIVE MOTIONS</b></p> <p>Civil No. 2:02 CV 0230C</p> <p>Judge Tena Campbell</p>
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On April 7, 2004, this Court held an oral hearing on Defendants' Motion for an Order Compelling Discovery and Motion to Extend the Time for Filing Dispositive Motions, both filed on January 16, 2004. The Defendants were represented by John T. Caine of Richards, Caine & Allen. The Plaintiff was represented by Reha Deal of Holland & Hart LLP.

Having reviewed the submissions of the parties and having heard the arguments of counsel,

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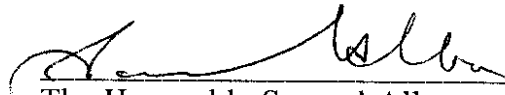
IT IS HEREBY ORDERED that:

1. Defendants' Motion for an Order Compelling Discovery is DENIED because it was submitted after the fact discovery cutoff and because the number of Defendants' interrogatories exceeds the number allowed by the Federal Rules of Civil Procedure; and

2. In the oral hearing, counsel for Defendants represented that Defendants' Motion to Extend the Time for Filing Dispositive Motions is moot. On that basis, that motion is DENIED.

DATED this 27<sup>th</sup> day of May, 2004.

BY THE COURT

  
The Honorable Samuel Alba  
United States Magistrate Judge

APPROVED AS TO FORM AND SUBSTANCE:

RICHARDS, CAINE & ALLEN

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John T. Caine  
Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I certify that on this 19<sup>th</sup> day of May, 2004, I served a copy of the foregoing document to the following by

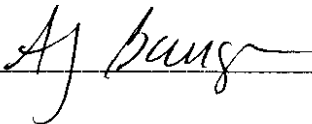
- U.S. Mail, postage prepaid
- Hand Delivery
- Facsimile

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United States District Court  
for the  
District of Utah  
May 28, 2004

\* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:02-cv-00230

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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