

19
AUG 18 2004

GREGORY C. LANGHAM
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 01-B-1854 (BNB)

LAWRENCE GOLAN,
RICHARD KAPP,
S.A. PUBLISHING CO., INC., d/b/a ESS.A.Y RECORDINGS,
SYMPHONY OF THE CANYONS,
RON HALL d/b/a FESTIVAL FILMS,
JOHN MCDONOUGH d/b/a VIDEO ALTERNATIVES INTERNATIONAL,

Plaintiffs,

v.

JOHN ASHCROFT, in his official capacity as Attorney General of the United States,

Defendant.

ORDER

This matter is before me on the following motions:

- (1) **Plaintiffs' Rule 56(f) Motion for Discovery** (the "Rule 56(f) Motion"), filed July 12, 2004;
- (2) **Defendant's Motion for Protective Order Staying Discovery** (the "Motion to Stay Discovery"), filed August 6, 2004; and
- (3) **Defendant's oral motion to stay my orders on the Rule 56(f) Motion and on the Motion to Stay Discovery.**

I held a hearing on the motions this morning and made rulings on the record, which are incorporated here. In summary and for the reasons stated on the record:

IT IS ORDERED that the Rule 56(f) Motion is GRANTED IN PART. The plaintiff shall

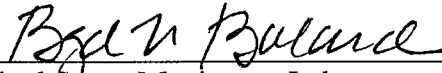
have to and including **November 1, 2004**, within which to respond to the Defendant's Motion for Summary Judgment [Doc. No. 35-1, filed 6/22/04]. The defendant shall respond to the plaintiffs' outstanding discovery on or before **September 17, 2004**.

IT IS FURTHER ORDERED that the Motion to Stay Discovery is DENIED.

IT IS FURTHER ORDERED that the defendant's oral motion to stay my orders granting the Rule 56(f) Motion and denying the Motion to Stay Discovery is DENIED.

Dated August 17, 2004.

BY THE COURT:



United States Magistrate Judge

UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT

BOYD N. BOLAND
U.S. Magistrate Judge

CERTIFICATE OF MAILING
Civil Action No. 01-B-1854 (BNB)

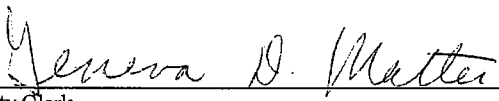
I hereby certify that a copy of this **ORDER** dated August 18, 2004, entered by Magistrate Judge B.N. Boland was served by (*) delivery to or (**) depositing the same in the United States mail, postage prepaid, this 18 day of August, 2004, to the following persons:

CAROLYN FAIRLESS, ESQ.*
WHEELER, TRIGG & KENNEDY, PC
D.C. BOX NO. 19

COLETTE VOGELE, ESQ.**
CENTER FOR INTERNET AND SOCIETY
STANFORD LAW SCHOOL
CROWN QUADRANGLE
559 NATHAN ABBOTT WAY
STANFORD, CA 94305-8610

JOSHUA Z. RABINOVITZ, ESQ.**
TRIAL ATTORNEY
UNITED STATES DEPARTMENT OF JUSTICE
CIVIL DIVISION, ROOM 7340
20 MASSACHUSETTS AVE., NW
WASHINGTON, DC 20530

GREGORY C. LANGHAM, CLERK



Deputy Clerk