

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Kathleen M. Tafoya**

**Civil Action No.** 09-cv-01822-WDM-KMT

FTR

**Date:** September 14, 2009

Debra Brown, Deputy Clerk

PREMIER ELECTION SOLUTIONS, INC.,

No appearance

Plaintiffs.

v.

SYSTEST LABS INCORPORATED

Theodore J. Kobus  
April Jones

Defendant.

IBETA QUALITY ASSURANCE, INC.,

Thomas J. Kresl  
Jason Largey

Interested Party

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**COURTROOM MINUTES / MINUTE ORDER**

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**MOTION HEARING**

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**Court in Session: 9:49 a.m.**

Court calls case. Appearance by counsel. Also present is Ms. Gail Audette a former employee of Systest Labs Incorporated and now employed by iBeta Quality Assurance, Inc. Opening statements by the Court.

**ORDERED:** MOTION for Leave to File Surreply by Interested Party iBeta Quality Assurance, Inc. [Document #9, filed September 11, 2009] is **GRANTED**.

Defendant's Motion to Compel Compliance with Subpoena or, in the alternative, Motion for Contempt pursuant to Fed.R.Civ.P. 45 [Document #1, filed July 31, 2009] at issue.

**9:54 a.m.** Argument by Mr. Kobus.

**10:17 a.m.** Objections by Mr. Kresl.

**10:54 a.m.** Rebuttal by Mr. Kobus.

**ORDERED:** Defendant's Motion to Compel Compliance with Subpoena or, in the alternative, Motion for Contempt pursuant to Fed.R.Civ.P. 45 [Document #1, filed July 31, 2009] is **TAKEN UNDER ADVISEMENT**. A written opinion will be issued.

**Court in recess: 11:06 a.m.** Total In-Court Time 1:17; hearing concluded

\*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.