

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**PURIFAN, INC.,**

**Plaintiff,**

**v.**

**Case No. 06-1285-JTM**

**LARRY PARKE and SEXTAN, INC.,**

**Defendants.**

**MEMORANDUM AND ORDER**

On June 11, 2007, pursuant to Fed. R. Civ. P. 16(b), the court conducted a discovery hearing in this case with the parties. Plaintiff appeared through counsel Jerald Rogers. Defendant appeared through counsel Kurt Harper.

Before the Court is Plaintiff's Motion to Compel and supporting memorandum (Doc. No's 24, 25), Defendants' Response (Doc. 32), and Plaintiff's Reply. (Doc. 35). At issue are Defendants' answers and responses to Plaintiff's First and Second Set of Interrogatories and Plaintiff's First Request for Production of Documents. Also before the Court is Defendants' motion for oral argument on the discovery motions (Doc. 33), and Plaintiff's unopposed motion for an extension of time to serve expert disclosures. (Doc. 37).

After reviewing the briefs and hearing arguments of counsel, the Court held:

1. Defendant's Motion for Oral Argument (Doc. 33) is GRANTED; and
  2. Plaintiff's Motion to Compel (Doc. 24) is GRANTED IN PART and DENIED IN PART
- stated by the Court during oral argument. Also, Plaintiff's request for fees and expenses related to the motion is DENIED pursuant to Fed. R. Civ. P. 37(a)(4)(C) as the Court finds that circumstances make an award of expenses unjust.

3. Defendants shall supplement their discovery responses to the above-described discovery to comply with the Court's rulings. Defendants shall serve their supplemented discovery on or before July 2, 2007.

4. Plaintiff's unopposed motion for extension of time to serve expert disclosures (Doc. 37) is GRANTED. The Court will set new deadlines for all expert disclosures at the next status conference.

5. A telephone status conference is scheduled for **July 23, 2007 at 9:30 a.m.** The Court will place the call.

IT IS SO ORDERED.

Dated this 11th day of June, 2007, at Wichita, Kansas.

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s/ DONALD W. BOSTWICK

Donald W. Bostwick  
U.S. Magistrate Judge