

Moore & Myers
Joseph F. Moore, Jr.
R. Scott Garland
P. O. Box 8498
Jackson, WY 83002
(307) 733-8668
(307) 733-3220
Attorneys for Plaintiffs

FILED
DISTRICT OF WYOMING
CHEYENNE

JUL 13 PM 4:25

CLERK
U.S. DISTRICT COURT

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

RICHARD D. COLLARD and MOUNTAIN)
STATES CONSULTING, LLC, a)
Wyoming Limited Liability Co.)
Plaintiffs,)
vs.) Case No. 2:01-CV-0008-B
RONALD KAILEY, and TRIBAL)
SOFTWARE, INC., a Wyoming)
Corporation; and John Does 1 through 3,)
Defendants.)

**STIPULATED MOTION TO EXTEND TIME
TO DESIGNATE EXPERTS**

COME NOW Plaintiffs and Defendants, by and through their counsel of record, and hereby jointly move the Court for an order extending by thirty (30) days, the time by which each party must designate expert witnesses and provided a summary of testimony of such expert witness to the other party. In support of this motion, Plaintiffs and Defendants state as follows:

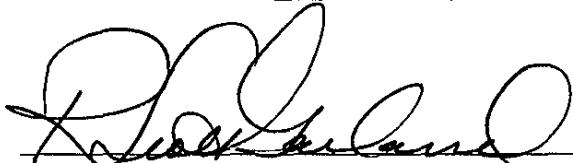
1. The Court entered its ORDER ON INITIAL PRETRIAL CONFERENCE May 8, 2001, setting a deadline for Plaintiffs designation of expert witness/summary of testimony for July 13, 2001, and a deadline for Defendants designation of expert witness/summary of testimony for August 20, 2001.
2. Because this case involves issues relating to the development of computer software involving an exchange of proprietary information, counsel for both parties entered into negotiation for a stipulated protective order. Counsel for both parties

agreed to not seek to compel production of any computer software or other proprietary information prior to the Courts entering the stipulated protective order. After negotiation and submission to the Court of a form of Stipulated Motion for Protective Order, the Court entered a Stipulated Protective Order June 20, 2001.

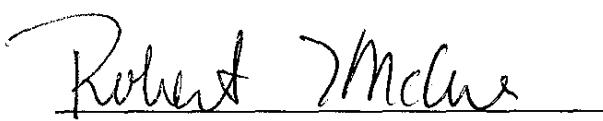
3. As a result of the above events, the Defendants did not produce any computer software or related materials for inspection by Plaintiffs expert until July 5, 2001. Under the Courts current scheduling deadline, it is impossible for Plaintiffs expert to receive, review, and render written conclusions concerning the Defendants software submitted July 5, 2001. Therefore, the parties have conferred and agreed that a thirty (30) day extension for each party to designate their expert witness (es) and to provide a summary of testimony of same is appropriate.
4. Should the Court accept the parties Stipulated Motion, Plaintiffs new date by which to designate expert witnesses/provide a summary of testimony would be August 13, 2001; Defendants new date would be September 20, 2001. The final pretrial conference is scheduled to occur November 1, 2001.

WHEREFORE, Plaintiff and Defendants move for the entry of an order extending the time by which the parties must designate expert witnesses and provide a summary of expert testimony, in the form of that is attached hereto.

DATED this 13 day of July, 2001.



R. Scott Garland
Moore & Myers
P. O. Box 8498
Jackson, WY 83002
(307) 733-8668
(307) 733-3220 Fax
Attorneys for Plaintiffs



Robert T. McCue
Ian D. Shaw
Hathaway Speight & Kunz, LLC
P. O. Box 1208
Cheyenne, WY 82001-1208
(307) 634-7723
(307) 634-0985 Fax
Attorneys for Defendants

STIPULATED MOTION TO EXTEND TIME TO DESIGNATE EXPERTS

Collard, et al. v. Ronald Kailey, et al.; Civil No. 01-CV-008B