

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 05-cv-01016-RPM

MICHAEL L. ZINNA,

Plaintiff,

v.

JAMES CONGROVE, individually,

Defendant.

**ORDER GRANTING UNOPPOSED MOTION FOR LEAVE TO CONDUCT LIMITED
DISCOVERY BASED ON NEW DISCLOSURES**

Before the Court is the unopposed motion of Plaintiff Michael L. Zinna, seeking to reopen discovery in this case for the limited purpose of conducting a further deposition of Jefferson County Commissioner J. Kevin McCasky and such other discovery as is warranted by the recent discovery and production of email messages from the so-called “ColoradoWackoExposed” website, and finding that such discovery is necessary to prevent a manifest injustice to the plaintiff, the Court hereby **GRANTS** the motion and **ORDERS** as follows:

- Discovery in this proceeding is reopened for the following purposes:
 - A further deposition of Jefferson County Commissioner J. Kevin McCasky,
 - Such other additional discovery, including subpoenas *duces tecum* and depositions of appropriate records custodians and other witnesses, to

determine whether Jefferson County has produced all relevant materials pertaining to this case, and

- Such other discovery as the parties may agree to conduct in light of information learned as a result of the reopened discovery authorized herein.
- Such additional discovery must be completed no later than sixty days before the trial date in this case.

Dated: July 16th, 2009

IT IS SO ORDERED.

s/Richard P. Matsch

The Hon. Richard P. Matsch
U.S. Senior Judge