

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:06-cv-00619-LTB

PHILIP W. WYERS, a Colorado resident, and
WYERS PRODUCTS GROUP, INC., a Colorado corporation,

Plaintiffs,

v.

MASTER LOCK COMPANY, a Delaware corporation,

Defendant.

ORDER GRANTING MOTION TO COMPEL DISCOVERY AND FOR SANCTIONS

(Docket No 366)

THIS MATTER coming before the Court regarding Defendant Master Lock Company's motion pursuant to F.R.C.P. 37(a)(3)(B)(iii) and (iv) for an order compelling Plaintiff Philip W. Wyers to fully and truthfully respond to discovery requests; and

THE COURT, being fully advised in the premises;

HEREBY ORDERS that said Motion to Compel Discovery and for Sanctions is granted. (X)

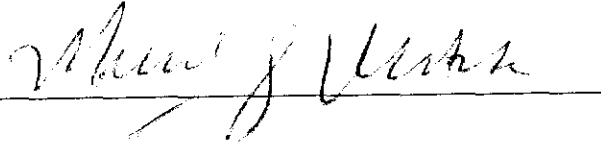
Plaintiff Philip W. Wyers is hereby ordered to provide full, complete and truthful answers to Defendant's Interrogatories to Philip W. Wyers and a Request for Production of Documents to Philip Wyers. Philip Wyers shall correct the specific deficiencies in his prior discovery answers as outlined in Exhibit E to the Motion, the letter to Philip Wyers dated July 25, 2011, within 10 days of the date of this Order.

(X) PLAINTIFFS HAVE FAILED TO FILE ANY
TIMELY RESPONSE TO THIS MOTION AND
THE COURT RECEIVES THIS MOTION UNCONTESTED.

THE COURT FURTHER hereby orders that Defendant is entitled to an award of the attorney's fees and costs incurred by it as a result of Philip Wyers' failure to respond fully to Defendant's discovery requests. The award of attorney's fees and costs will be finalized upon the filing of an affidavit of fees and costs by counsel for Defendant.

Dated: August 31, 2011.

BY THE COURT:

A handwritten signature in cursive script, appearing to read "Michael J. Watanabe", is written over a horizontal line.

MICHAEL J. WATANABE
U.S. MAGISTRATE JUDGE
DISTRICT OF COLORADO