

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 06-cv-02303-WYD-MJW

MR. RALPH MERCADO,

Plaintiff,

v.

MR. R. WOOD, et al.,

Defendants.

MINUTE ORDER

MICHAEL J. WATANABE
United States Magistrate Judge

It is hereby **ORDERED** that the plaintiff's Motion for Clarification (Docket No. 131) is granted as follows.

According to plaintiff, it is his belief that "he could ask 25 admissions from each defendant, just as he could ask 50 interrogatories from each defendant and obtain (25) documents from each defendant ____." (Docket No. 131 at 2-3). The Scheduling Order entered by this court (Docket No. 119) and the Courtroom Minutes/Minute Order of the Scheduling Conference (Docket No. 118), however, both state that the limitations are per side, not per party.

The court does note, however, that the Courtroom Minutes/Minute Order and the Scheduling Order differ with respect to the number of experts, interrogatories, requests for production, and admissions permitted. Specifically, the Scheduling Order provides for five experts per party and "[t]wenty-five [interrogatories] each per side. Twenty requests for production of documents, and 20 requests for admission per side." (Docket No. 119 at 7). In contrast, the Minute Order/Courtroom Minutes provides for ten experts for each side, fifty interrogatories per side, twenty-five requests for productions each side, and twenty-five requests for admissions each side. The court thus reviewed the audio recording of the proceeding and finds that the limitations stated in Scheduling Order are correct, except that the limitation on experts is per side, not per party. It is thus hereby

ORDERED that the Courtroom Minutes/Minute Order (Docket No. 118) are hereby amended to reflect that without leave of court each side is permitted five (5) expert witnesses, twenty-five (25) interrogatories, twenty (20) requests for production,

and twenty (20) requests for admissions. Furthermore, the Scheduling Order (Docket No. 131) is hereby amended to reflect that each side is limited to five (5) experts without leave of court.

Date: May 26, 2009
