

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00229-WYD-MJW

As consolidated with: 07-cv-01711-REB-MJW, Sue v. Milyard,  
07-cv-01976-PAB-KMT, Ybanez v. Milyard, and  
07-cv-02132-WYD-CBS, Thompson v. Milyard

ERIC QUADE, et al.,

Plaintiff,

v.

WARDEN KEVIN MILYARD, et al.,

Defendants.

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that the Pro Se Incarcerated Plaintiff Sue's Motion to Compel Interrogatories Pursuant to Federal Rule of Civil Procedure, Rule 37(A) (**docket no. 104**) is DENIED. Defendants have already responded to 35 interrogatories by the Pro Se Incarcerated Plaintiff Sue and therefore have complied with the Scheduling Order in the this case. The additional fifteen (15) interrogatories that the Pro Se Incarcerated Plaintiff Sue is seeking relief for exceeds the total amount of interrogatories authorized under in the Scheduling Order. The court does not find good cause to expand the number of interrogatories in this case.

It is hereby ORDERED that the Pro Se Incarcerated Plaintiff Ybanez's Request [motion] for Ruling on Petition for Class Action (docket no. 16 in Case no. 07-CV-01976) (**docket no. 118**) is DENIED WITHOUT PREJUDICE. There is no pending petition for class action in the current consolidated case of Quade et al. v. Milyard et.al. 07-CV-00229-WYD-MJW. The court ran a current motions list and no such motion is pending. Accordingly, the Pro Se Incarcerated Plaintiff is granted leave to re-file such motion under case number 07-cv-00229-WYD-MJW, within 15 days from the date of this Minute Order.

Date: February 23, 2009

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