

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-01297-PAB-KLM

MALACHI Z. YORK, a/k/a Dwight York,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS,
MAUREEN CRUZ, former Associate Warden,
JACK FOX, Associate Warden,
BRIAN A. BLEDSOE, Warden,
L. MCDERMOTT, Health Services Specialist,
S. SMITH, SIS Technician,
S. NAFZIGER, MD, Clinical Director,
C.W. WELCH, Physician Assistant,
MICHAEL NALLEY, Regional Director,
D. SHIEFELBEIN, Physician's Assistant,
J.T. SHARTLE, former Associate Warden,
RON WILEY, Warden,
HERMAN O. LYLE, MD, Consultant Internist,
IVAN NEGRON, MD, Medical Director,
RATAEL ROMAN, MD, Clinical Director,
RAIEZ, Health Physician Assistant,
G. HICKS, Physician Assistant,
J.F. CASTILLO, Physician Assistant,
RICK STALLKAMP, Pharmacist,
LAWRENCE LEYBA, DO, Clinical Director,
M. MILLER, Physician Assistant,
A. VINYARD, Physician Assistant,
Y. FETTERHOFF, Imaging Techniques Specialist,
M. SWANN, Practitioner Assistant, each in his/her individual and official capacity,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Plaintiff's Motion to Depose Respondent Marcy E. Cook by Notary Verification** [Docket No. 190; Filed March 23, 2009] (the

“Motion”). The Motion, which is largely unintelligible, appears to seek authority to depose defense counsel in this matter.

IT IS HEREBY **ORDERED** that the Motion is **DENIED**. First, the discovery deadline expired on August 1, 2008, and Plaintiff has failed to provide good cause or excusable neglect for reopening discovery or taking depositions. Second, a deposition of opposing counsel is rarely warranted, and there are no circumstances alleged here which would justify it. Third, a Recommendation [#151] to dismiss Plaintiff’s case is pending and until it has been ruled upon, the Court will not entertain further discovery motions.

Dated: March 25, 2009