

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-01712-MSK-MEH

PETER GEORGACARAKOS,

Plaintiff,

v.

WILEY, *et al.*,

Defendants.

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MINUTE ORDER

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on March 17, 2009.**

Defendants' Motion for Protective Order [filed February 18, 2009; docket #510] is **granted**. A review of the September 18, 2008 Scheduling/Status Conference recording and transcript reveals that the Court suggested to the parties that the number of written discovery requests be limited to 25 interrogatories, 25 requests for production and 25 requests for admissions. *See* docket #510-3 at 2. The Court's suggested numbers of written discovery requests are commonly afforded to parties in single-plaintiff civil rights cases such as this one. In fact, Rule 33 of the Federal Rules of Civil Procedure states, "[u]nless otherwise *stipulated or ordered by the court*, a party may serve on any other party no more than 25 interrogatories . . . ." Here, the Plaintiff clearly stipulated to the Court's limitation of interrogatories at the Scheduling Conference. *See* docket #510-3 at 2.

Moreover, during a December 9, 2008 hearing on motions pertaining to Plaintiff's requests for production of documents and requests for admissions, the Court awarded Plaintiff substantially more than the original limits placed on such requests at the Scheduling Conference. *See* docket #446 at 2. At no time during the motions hearing nor in briefing on the motions did Plaintiff request more than the 25 interrogatories awarded during the Scheduling Conference.<sup>1</sup>

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<sup>1</sup>Notably, the discovery cutoff in this case was extended to, and ended on, March 2, 2009. Plaintiff was informed as early as January 21, 2009 that Defendants objected to the number of interrogatories he propounded, yet he raised no objection with the Court. *See* docket #510-5.