

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-00916-DME-MJW

DENISE M. SEYBOLD, f/k/a DENISE REIGEL,

Plaintiff,

v.

JOHN E. COOKE, in his individual and official capacity,

Defendant.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff's Petition, Pursuant to Fed. R. Civ. P. 27(a)(1),(3) and (c), and Fed. R. Civ. P. 32(a)(4)(C), to Allow Deposition of Michelle Moore, an Incarcerated Person, for the Preservation of Her Testimony for Trial (docket no. 81) is GRANTED, finding good cause shown for such relief and further finding that Defendant has withdrawn his objection to the deposition of Michelle Moore. See response (docket no. 83). The parties shall forthwith meet and confer and set the preservation deposition for Michelle Moore. The parties shall comply with all Rules and Regulations of the Colorado Department of Corrections in taking Michelle Moore's preservation deposition.

It is FURTHER ORDERED that Plaintiff's Objections and Motion, Pursuant to Fed. R. Civ. P. 72(a) and 28 U.S.C. § 636 (b)(1)(A), for Reconsideration of Order dated December 22, 2008 (docket no. 78) is DENIED finding that Plaintiff has failed to demonstrate any basis in law or fact for this court to reconsider its Order dated December 22, 2008 (docket no. 71). Furthermore, this court, incorporates by reference, those additional reasons as outlined in Defendant's response (docket no. 84), as a further basis for denying the subject motion (docket no. 78).

It is FURTHER ORDERED that Plaintiff's Motion, Pursuant to D.C.COLO.LCivR 30.2(B)., to Stay Discovery Set Forth in the Order of Magistrate Judge dated December 22, 2008, Pending the Resolution of the Plaintiff's Motion for Reconsideration of the Order (docket no. 73) is now MOOT and therefore DENIED based upon this court's ruling on docket no. 78 above.

Date: January 20, 2009
