

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02110-LTB-MEH

BART KIMBER,

Plaintiff,

v.

TIM HOOVER,  
RICHARD KAZITS,  
DEAN KING,  
TRACY GRANT, and  
BILL FRANKLE,

Defendants.

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MINUTE ORDER

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on August 18, 2009.**

Pending before the Court is Plaintiff's "Motion to Request Discovery of Plaintiffs' [sic] Submittal of Proper Administrative Claims 28 USCS § 2675" [filed August 10, 2009; docket #65]. The Plaintiff does not request additional discovery in this motion (the discovery deadline was July 17, 2009), but rather appears to request consideration of the "reply" he filed following the United States' response to Plaintiff's motion for permission to submit a surreply for the Motion to Substitute [*see* docket #63]. The Court notes that it granted Plaintiff's motion for permission to file a surreply.

Nevertheless, in light of Judge Babcock's August 17, 2009 order granting the Motion to Substitute [docket #70], the Court **denies** the within motion as moot.