

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 08-cv-02112-RPM

RICHARD (Chance) LEOFF,

Plaintiff,

v.

S AND J LAND COMPANY,
a Colorado Limited Liability Company, and
ALPINE BANK, a Colorado Banking Corporation,

Defendants.

ORDER FOR TAKING TRIAL DEPOSITIONS

On October 12, 2010, the plaintiff Richard Leoff filed an emergency motion for a protective order to delay depositions of Steven Catsman and Teddy Errico scheduled for October 12 and October 13, 2010. Pursuant to D.C.COLO.LCiv.R. 30.2 the depositions were stayed. On October 13, 2010, Defendant S and J filed a response in opposition to the motion for protective order.

The grounds for the motion for protective order included short notice. Under D.C.COLO.LCiv.R. 30.1(a), reasonable notice for the taking of a deposition shall be not less than 14 days and the defendant did not comply with that requirement. The other ground stated by the plaintiff is that he is still attempting to obtain counsel. Mr. Leoff has had an adequate opportunity to retain counsel to represent him in this matter and there will be no additional delays for that purpose. It is now

ORDERED that as permitted by this Court's order of September 27, 2010, Defendant S and J Land Company shall proceed to schedule the depositions for trial

testimony of Steven Catsman and Teddy Errico with no less than 14 days notice to Plaintiff Richard Leoff.

Dated: October 19th, 2010

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge