

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00342-PAB-MEH

LORETTA KUYPER,
K.K., by and through her mother and next friend, Loretta Kuyper,

Plaintiffs,

v.

BOARD OF COUNTY COMMISSIONERS OF WELD COUNTY,
DESIREE FLORES, in her individual capacity,
BARBARA SCHWABE, in her individual capacity,

Defendants.

FINAL ORDER ON DEFENDANTS' MOTION FOR I.M.E.

Before the Court remains a portion of Defendants' Motion to Compel Independent Medical Examination of Plaintiff K.K. [[filed August 3, 2010; docket #75](#)] for which the Court has reserved judgment. See docket #83. The Court heard oral argument on the single issue remaining in the motion concerning Defendants' request that the independent medical examination (I.M.E.) of the Plaintiff, K.K., be unsupervised. Plaintiffs counter the motion requesting that K.K.'s treating therapist or her mother be allowed to attend the I.M.E.

For the reasons set forth during the hearing, Defendants' motion in this regard is **granted in part and denied in part**. Defendants shall take the lead in arranging for the I.M.E. to take place in a facility providing a room with one-way glass behind which representatives of the Plaintiffs and Defendants may observe without disturbing the progression of the I.M.E. The parties shall ensure K.K. is not informed that she will be observed during the examination and shall take all steps to provide a calm, supportive atmosphere for the I.M.E.

On or before September 24, 2010, the parties shall file with the Court a Status Report informing the Court of the status of the arrangement for the I.M.E., as well as identifying the representatives who will observe the I.M.E. and providing a schedule of the I.M.E. sessions.

SO ORDERED.

Dated at Denver, Colorado, this 21st day of September, 2010.

BY THE COURT:

A handwritten signature in black ink that reads "Michael E. Hegarty". The signature is fluid and cursive, with "Michael" and "E." on the first line and "Hegarty" on the second line.

Michael E. Hegarty
United States Magistrate Judge