

UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **09-cv-00447-JLK**

**DISH NETWORK CORPORATION, and
DISH NETWORK LLC,**

Plaintiffs,

v.

**ARCH SPECIALTY INSURANCE COMPANY,
ARROWOOD INDEMNITY COMPANY,
TRAVELERS INDEMNITY COMPANY OF ILLINOIS,
XL INSURANCE AMERICA, INC., and
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA,**

Defendants.

AMENDED MINUTE ORDER AFFIRMING MAGISTRATE JUDGE HEGARTY'S
ORDER DENYING DISCOVERY AND MODIFYING EXTENDED BRIEFING
DEADLINES FOR DEFENDANT'S REPLY TO PLAINTIFF'S RESPONSE TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Judge John L. Kane ORDERS

This case was filed on March 4, 2009, Doc. # 1, and amended on March 7, 2009, Doc. # 3. On September 10, 2009, pursuant to 28 U.S.C. § 636(b)(1)(A) and (B) and Fed. R. Civ. P. 72(a) and (b), I referred the case to Magistrate Judge Michael E. Hegarty for purposes of conducting discovery and resolving non-dispositive motions. Doc. # 55.

On October 27, 2009, Plaintiff filed its First Motion to Compel and Memorandum in Support of Motion to Compel Discovery From All Defendants and for Attorney Fees and Costs. Doc. #67. On November 12, 2009, Magistrate Judge Hegarty issued an Order, granting in part and denying in part Plaintiff's Motion to Compel Discovery. Doc. # 89. Plaintiff appeals

Magistrate Judge Hegarty's ruling, arguing that his decision was contrary to law and should be set aside. Doc. # 96.

Having reviewed Magistrate Judge's Hegarty's ruling and the parties' arguments on this matter, I find that Plaintiff has failed to adduce sufficient legal support to justify a conclusion that Magistrate Judge Hegarty's ruling was contrary to law. Each of the cases cited by plaintiff are distinguishable from the case at hand. Accordingly,

Magistrate Judge Hegarty's Order granting in part and denying in part Plaintiff's Motion to Compel Discovery is AFFIRMED. In light of Magistrate Judge Hegarty's decision to compel additional limited discovery, the briefing schedule for the Defendants' Motions for Summary Judgment (Doc. #'s 62, 65, 66, 68, and 72) is modified as follows:

Plaintiffs' Response Briefs are Due: February 1, 2010

Defendants' Reply Briefs are Due: February 15, 2010

DATED: December 18, 2009