

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00676-REB-KLM

LAURA GOMEZ,

Plaintiff,

v.

DILLON COMPANIES, INC., doing business as King Soopers, Inc., a Kansas corporation,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Plaintiff's Motion to Quash Subpoena Duces Tecum** [Docket No. 23; Filed August 3, 2009] (the "Motion"). In a previous Order [Docket No. 29; Filed September 17, 2009] the Court noted that the filing of the Motion is a clear violation of the Court's rules and instructions. The Order Setting Scheduling/Planning Conference [Docket No. 4; Filed April 6, 2009] states that "[n]o opposed discovery motions are to be filed with the Court until the parties comply with D.C.COLO.LCivR. 7.1(A). If the parties are unable to reach agreement on a discovery issue after conferring, they shall arrange a conference call with Magistrate Judge Mix to attempt to resolve the issue. Both of these steps must be completed before any contested discovery motions are filed with the Court" Moreover, the Scheduling Order, which was signed by counsel and the Court, contains the same instructions [Docket No. 15; Filed June 3, 2009]. On September 17, 2009, the Court ordered that counsel contact chambers, via a conference call, to set a date and time for a telephonic hearing on the pending discovery dispute. The parties have not done so. Accordingly,

IT IS **ORDERED** that the Motion to Quash Subpoena Duces Tecum [Docket No. 23] is **STRICKEN** for failure to comply with the Court's orders.

Dated: October 14, 2009