

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 09-cv-01103-REB-BNB

KENNETH WARE,

Plaintiff,

v.

DENVER HEALTH, d/b/a DENVER CARES, and
MARK WRIGHT,

Defendants.

ORDER

This matter arises on **Denver Health's Motion for Leave to Amend Answer** [Doc. # 39, filed 1/4/2010] (the "Motion to Amend"). I held a hearing on the Motion to Amend this afternoon and made rulings on the record, which are incorporated here. In summary and for the reasons stated on the record:

IT IS ORDERED that the Motion to Amend is GRANTED. The defendants may file an amended answer asserting the affirmative defense of after acquired evidence, as set out on pp. 2-3 of the Motion to Amend. The Amended Answer shall be filed on or before January 21, 2010.

IT IS FURTHER ORDERED that the discovery cut-off is extended, to and including March 1, 2010, solely to allow the plaintiff to serve written discovery directed to the added defense of after acquired evidence. All written discovery must be served to that responses are due on or before the discovery cut-off.

Dated January 19, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge