

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01690-PAB-MEH

GEORGE W. WALKER,

Plaintiff,

v.

UNIVERSITY OF COLORADO BOARD OF REGENTS,

Defendant.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on May 26, 2010.

Plaintiff's Motion for Delay [[filed May 25, 2010; docket #81](#)] is **granted in part and denied without prejudice in part**. The Plaintiff seeks an extension of time within which to file a response to the pending motion for summary judgment to permit time for the Defendant to produce documents the Plaintiff seeks through discovery. The Court will grant Plaintiff's request for extension of time and permit the Plaintiff to file a response to the summary judgment motion **on or before July 12, 2010**.

With respect to Plaintiff's request that the Court compel Defendant to produce his requested documents, the motion is denied without prejudice for Plaintiff's failure to comply with Fed. R. Civ. P. 37 and D.C. Colo. LCivR 37.1. The motion must contain a certification that the Plaintiff has conferred with Defendant regarding this particular matter in an effort to obtain the requested documents without court action. *See* Fed. R. Civ. P. 37(a)(1). In addition, the Plaintiff must specify in the motion, or attach to the motion, the actual written discovery request(s) the Plaintiff made to the Defendant, as well as the Defendant's response, if any, to the discovery request(s). *See* D.C. Colo. LCivR 37.1.

Should he choose to do so, the Plaintiff may re-file his motion on or before June 4, 2010. Defendant shall file a response to the motion on or before June 18, 2010 and the Plaintiff may file a reply to the response on or before June 28, 2010.