

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00334-PAB-KMT

JEFFREY ALLEN PHILLIPS,

Plaintiff,

v.

SUSAN TIONA, Doctor, Kit Carson Correctional Center,  
HOYT BRILL, Warden, Kit Carson Correctional Center,  
JODI GRAY, Health Administrator, Kit Carson Correctional Center, and  
CORRECTIONS CORPORATION OF AMERICA, owner of private prison KCCC,

Defendants.

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**MINUTE ORDER**

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**ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA**

This matter is before the court on Plaintiff's "Motion to Compel" (Doc. No. 213, filed April 11, 2011). Plaintiff seeks to compel Defendants to answer his First Request for Admissions arguing that defense counsel had him execute a release for records addressed to the wrong entity. (*Id.* at 2.) As a result, Defendants responded to Plaintiff's First Request for Admissions, in part, with the objection that they lacked sufficient information at the time to admit or deny Plaintiff's requests. (*Id.* at 8-13.) Plaintiff has since executed a release for records to the proper entity. Accordingly the Motion is DENIED. However, all parties are reminded that they have a duty to supplement discovery responses when and if information is received which requires such supplementation. *See* Fed. R. Civ. P. 16(e).

Dated: April 18, 2011.