

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
MAGISTRATE JUDGE MICHAEL E. HEGARTY

Civil Action No. 10-cv-00951-MSK-MEH  
Courtroom Deputy: Cathy Coomes

Date: January 26, 2011  
FTR – Courtroom C203

DAVID JAMES CROSBY,  
  
Plaintiff,

*Pro Se* (by telephone)

vs.

MARGARET HEIL,  
J. D. SCOLLARD,  
CHRISTINE TYLER,  
CHRISTINA MARQUEZ,  
RICH LINS,  
BURL MCCULLAR,  
JAYLYNNE KOCH,  
SAMUEL DUNLAP, and  
CAPT. CRISTELLI,

Robert Huss

Defendants.

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**COURTROOM MINUTES/MINUTE ORDER**

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**TELEPHONIC MOTIONS HEARING**

**Court in session: 10:48 a.m.**

Court calls case. Appearance of *pro se* Plaintiff and counsel for Defendants.

Discussion regarding Mr. Huss’ failure to file responses to Plaintiff’s motions and discovery requests. The Court notes that the last document filed by Mr. Huss was on December 7, 2010.

Argument and discussion regarding Plaintiff’s Motion to Compel Discovery and to Order Waiver of Objections (Doc. #51, filed 12/22/10). Plaintiff has received responses to the interrogatories but not to the request for production of documents.

**ORDERED:** Plaintiff’s Motion to Compel Discovery and to Order Waiver of Objections (Doc. #51, filed 12/22/10) is GRANTED in part and DENIED in part as follows:

- To the extent that motion seeks Defendants to respond to interrogatories, the motion is DENIED as moot. Plaintiff has informed the Court that he has received responses to interrogatories.

- As to Plaintiff's request for six months of e-mails from or to Defendant Scollard that specifically involve Plaintiff, Defendants shall produce those e-mails to Plaintiff on or before **February 4, 2011**.
- As to Plaintiff's request for the Notice Contract of 2009 signed by him, Defendant Scollard shall search for the contract and provided it to Plaintiff, if found, on or before **February 4, 2011**.
- As to Plaintiff's request for documents showing his assignments in the senior group, Defendant Scollard shall search for the documents and provide them to Plaintiff, if found, by **February 4, 2011**.
- As to Plaintiff's request for the addenda to the polygraph he submitted from June 2006 to November 2006, Defendant Scollard shall search for the addenda and produce them to Plaintiff, if found, on or before **February 4, 2011**.
- As to Plaintiff's request for notes from concept groups from January 2009 through September 2009, specifically the notes from the March 2009 and June 2009 groups, Defendant Scollard shall search for the notes and provide them to Plaintiff, if found, on or before **February 4, 2011**.
- As to Plaintiff's request for the safety plan regarding Plaintiff's polygraph in 2008, Defendant Scollard shall search for the document and provide it to Plaintiff, if found, on or before **February 4, 2011**.
- As to Plaintiff's request for documents regarding his move from one facility to another, Defendants shall search for the documents and provide them to Plaintiff, if found, on or before **February 4, 2011**.

Discussion regarding other discovery issues and Plaintiff's Motion for Service of Subpoenas (Doc. #55, filed 1/19/11).

- ORDERED:**
1. Plaintiff is granted leave to file a written motion regarding his polygraph session and his request for production of those documents, as well his request for NCIC reports.
  2. Plaintiff will be allowed one additional interrogatory per defendant, and the Court will extend the following deadlines: Discovery, **March 15, 2011**; Dispositive motions, **April 15, 2011**.
  3. Plaintiff's Motion for Service of Subpoenas (Doc. #55, filed 1/19/11) is DENIED as moot. Plaintiff indicated that he does not have the money for copies.

**Court in recess: 10:18 a.m. (Hearing concluded)**

**Total time in court: 0:30**