

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

Civil Action No. 10-cv-01144-REB-BNB

THE ARC OF THE PIKES PEAK REGION, as legal guardian for Angela Bream,  
Greg Catlett, Gordon Cummins, Vera Guion, Mary Rodgers and Tino Valencia,  
SHARON HARRISON and MICHELLE BOWER, as legal guardians for Randy Bower, and  
KARLA DIAZ and CELESTINO PAUL DIAZ, as legal guardian for Felipe Cantrell Cervantes,

Plaintiffs,

v.

NATIONAL MENTOR HOLDINGS, INC., d/b/a/ The Mentor Network, its successor and its  
assignees,  
REM COLORADO, INC., its successors and assignees; and  
JAN BLOSSER,

Defendants.

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**ORDER**

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This matter arises on the following:

- (1) **Plaintiffs' Motion to Compel re Settlement Between National Mentor and Jane Blosser** [Doc. # 107, filed 1/27/2011] (the "Motion to Compel: Settlement Agreement");
- (2) **Plaintiffs' Motion to Compel Production of Documents Relating to Similarly Situated Nonparty Developmentally Disabled Persons** [Doc. # 115, filed 2/4/2011] (the "Motion to Compel: Similarly Situated");
- (3) **Defendant Jan Blosser's Motion to Strike Use of Deposition** [Doc. # 131, filed 2/22/2011] (the "Motion to Strike"); and
- (4) **Defendant Jan Blosser's Motion to Seal Pursuant to Local Rule 7.2** [Doc. # 122, filed 2/10/2011] (the "Motion to Seal").

I held a hearing on the motions this afternoon and made rulings on the record, which are incorporated here. For the reasons stated on the record, IT IS ORDERED:

(1) The Motion to Compel: Settlement Agreement [Doc. # 107] is GRANTED. The defendants shall produce to plaintiffs' counsel on or before **April 4, 2011**, a copy of the final, executed settlement agreement referenced on pages 86-89 of Ms. Blosser's April 8, 2010, deposition in Arc v. National Mentor, No. 09CV2953 (El Paso County D. Ct.). Production of the Settlement Agreement is pursuant to the Protective Order previously entered in this case and to the following additional restrictions:

The Settlement Agreement may be shown to and seen only by counsel of record for the plaintiffs who are members of the bar of this Court and have entered an appearance in this case, absent further order of the Court. In addition, the Settlement Agreement may be used as an exhibit and inquiry about it may be made in any deposition taken in this case of (a) Ms. Blosser or (b) National Mentor Holdings, Inc., d/b/a/ The Mentor Network, and REM Colorado, Inc., pursuant to Fed. R. Civ. P. 30(b)(6).

(2) The Motion to Compel: Similarly Situated [Doc. # 115] is GRANTED IN PART and DENIED IN PART as follows:

- GRANTED to require defendants National Mentor Holdings, Inc., d/b/a/ The Mentor Network, and REM Colorado, Inc., to produce, on or before **April 25, 2011**, all incident reports relating to or reporting any mistreatment of developmentally disabled persons residing in Magnolia Group Home, Revere Group Home, Vondel Group Home, or Whimsical Group Home during the period 2003-2007 and at the same time as one of the plaintiffs in this action resided there. Defendants may redact personal identifying information of any non-party

developmentally disabled person and his/her guardian(s) and replace that information with initials, a numerical code, or the like; and

- DENIED in all other respects.

(3) The Motion to Strike [Doc. # 131] is DENIED.

(4) The Motion to Seal [Doc. # 122] is GRANTED IN PART and DENIED IN PART

as follows:

- GRANTED to seal the deposition transcript filed at Doc. # 108 (Sealed

Document); and

- DENIED insofar as it seeks to seal Ms. Blosser's CV, filed at Doc. # 107-1 (not a Sealed Document), and in all other respects.

Dated March 24, 2011.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge