

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 10-cv-02862-REB-KLM

DEAN CARBAJAL,

Plaintiffs,

v.

CAROL WARNER, et al.,

Defendants.

**ORDER REOPENING CASE
& STAYING PROCEEDINGS**

Blackburn, J.

This matter is before the court on (1) **Plaintiff Dean Carbajal's Motion To Re-Open Case** [#604]¹ filed May 12, 2014; and (2) **Plaintiff Dean Carbajal's Motion To Re-Open Case** [#605] filed May 14, 2014. With some exceptions of little consequence, the second motion is a duplicate of the first. I grant the first motion [#604] on the terms stated in this order and deny the second motion [#605] as moot.

On March 27, 2014, I entered an order [#598] imposing sanctions against the plaintiff as a result of his willful failure to attend his deposition. The plaintiff, Dean Carbajal, has satisfied the conditions stated in the order [#598] for the re-opening of this case. However, except for the deposition of the plaintiff and any proceedings related to that deposition, all other actions and proceedings in this case is stayed until the plaintiff

¹ “[#604]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

has attended all depositions properly noticed by any of the defendants.

THEREFORE, IT IS ORDERED as follows:

1. That **Plaintiff Dean Carbajal's Motion To Re-Open Case** [#604] filed May 12, 2014, is **GRANTED**;

2. That **Plaintiff Dean Carbajal's Motion To Re-Open Case** [#605] filed May 14, 2014, largely a duplicate of [#604], is **DENIED** as moot;

3. That under **D.C.COLO.LCivR 41.2**, the clerk is **DIRECTED** to reopen this civil action;

4. That except for depositions of the plaintiff noticed by one or more of the defendants and proceedings related to those depositions, all other actions and proceedings in this case are **STAYED** until the plaintiff, Dean Carbajal, has been fully deposed in all depositions properly noticed by the defendants and the court has lifted this stay;

5. That by August 8, 2014, any defendant who wishes to depose Mr. Carbajal **SHALL SERVE** a notice of deposition on Mr. Carbajal under the procedures established in the Federal Rules of Civil Procedure and the Local Rules of Practice of the United States District Court for the District of Colorado - Civil;

6. That any deposition of Mr. Carbajal by any defendant shall be completed by October 1, 2014;

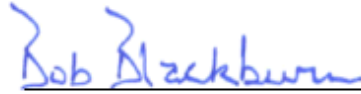
7. That within 20 days after the plaintiff has been fully deposed in all depositions properly noticed by the defendants, the plaintiff **SHALL FILE** a written statement signed and verified by him under penalty of perjury, indicating that he has been fully deposed in each and every deposition properly noticed by any defendant in this case and that he has cooperated fully in each and every such deposition;

8. That the written statement filed by the plaintiff under the terms of paragraph seven (7) of this order **SHALL SPECIFY** (a) each defendant or defendant group who properly noticed a deposition of the plaintiff; and (b) the date or dates on which each such defendant or defendant group conducted a deposition of the plaintiff; and

9. That no later than 20 days after the plaintiff files a statement as specified in paragraphs seven (7) and eight (8) above, a defendant **MAY FILE** a response to the statement.

Dated July 17, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge