

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 11-cv-0016-WYD-MJW

MARK IRLANDA,

Plaintiff,

v.

CORRECTIONS CORPORATION OF AMERICA,

Defendant.

ORDER REQUIRING PLAINTIFF TO FILE RESPONSE

THIS MATTER comes before the Court on a review of the parties' briefs on the pending motion for summary judgment [DE-31]. In its reply brief, Defendant asks the Court to exclude two attachments submitted in support of Plaintiff's response to the motion for summary judgment. Specifically, Defendant asks the Court to strike Plaintiff's affidavit [DE 42-1, pp. 1-6] and a July 20, 2009 inmate request form [DE 42-1, p. 7]. Defendant suggests the affidavit is a "sham" and that Plaintiff failed to produce the report prior to the discovery cut off. The Court must address the propriety of striking the attachments before taking up the substance of the pending motion for summary judgment. Accordingly, it is

ORDERED THAT Plaintiff shall file a written response no longer than 5 pages to the Defendant's request to strike the affidavit and report on or before **Friday, September 7, 2012**.

Dated: August 30, 2012

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge