

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 11-cv-01530-RPM

TRADEBANK INTERNATIONAL FRANCHISING CORP. and  
TRADEBANK INTERNATIONAL, INC.,

Plaintiffs,

v.

COMMUNITY CONNECT, LLC, d/b/a Community Connect Trade Assoc.,  
WILLIAM RIGGS, and  
ANNETTE RIGGS,

Defendants.

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ORDER ON PENDING MOTIONS

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Trial to jury is set to commence on December 16, 2013. Two motions are currently pending.

On September 6, 2013, the Defendants moved for leave to take written discovery of six third-party witnesses. That motion (#77) is denied. The discovery deadline has passed and the Defendants' motion does not articulate a valid reason for their failure to conduct the proposed discovery within the time period provided in the Scheduling Order.

On September 10, 2013, the Plaintiffs moved pursuant to Fed.R.Civ.P. 37, seeking to hold the Defendants in contempt for failing to produce documents in disregard of court orders. The Plaintiffs argue that an appropriate sanction would be to strike the Defendants' remaining pleadings, enter judgment in the Plaintiffs' favor, and set a hearing on damages. The Defendants opposed the motion, stating that the requested documents have now been produced. The

Plaintiffs' reply includes an alternative request for an award of their attorney's fees. The Plaintiffs' motion for attorney's fees may be renewed after the trial on the merits, and if so, will be considered at that time.

Accordingly, it is

ORDERED that the Defendants' motion for leave to conduct limited third-party discovery (#77) is denied, and it is

FURTHER ORDERED that the Plaintiffs' motions for contempt and sanctions (#78) is denied with respect to their requests for orders striking the Defendants' remaining pleadings and for the entry of judgment. The Plaintiffs' alternative request for attorney's fees may be renewed after the trial on the merits.

Dated: November 8, 2013

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge