

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02560-MSK-MEH

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

WENDY CABRERA,

Intervenor Plaintiff,

v.

THE ORIGINAL HONEYBAKED HAM COMPANY OF GEORGIA, INC.,

Defendant.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on January 9, 2013.**

Before the Court is Defendant's Motion for Sanctions Under Fed. R. Civ. P. 37 Against Plaintiff for Failure to Comply in Good Faith with the Court's Order and Amended Order on Motion to Compel [filed December 21, 2012; docket #269]. The motion appears to be duplicative of a motion filed on the same date at docket #267, which remains pending before the Court. However, the present motion was filed under restriction and has attached to it Exhibits A and D, also filed under restriction. The motion filed at docket #267 does not include copies of Exhibits A and D, but states that they are filed under restriction. Therefore, the Court must conclude that the present motion was filed in error as duplicative and that the Defendant intended to file a motion for restriction of public access pursuant to D.C. Colo. LCivR 7.2 with respect to Exhibits A and D, which pertain to the motion filed at docket #267.

Accordingly, the present motion is **denied as moot**; however, Defendant may file a motion to restrict access concerning Exhibits A and D on or before January 16, 2013, in accordance with D.C. Colo. LCivR 7.2 and all applicable local and federal rules. The Clerk of the Court is directed to maintain under restriction those documents identified as Exhibits A (docket #268-1) and D (docket #268-2) until further order of the Court.