

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

Civil Action No. 11-cv-02953-WYD-MEH

JAMES NELSON and
ELIZABETH VARNEY,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

ORDER

This matter comes before the Court on Plaintiffs' Unopposed Motion to Allow Deposition Testimony of Witness Russell M. Bircher to be Introduced as Evidence at Trial Pursuant to Fed.R.Civ.P. 32(a)(4)(E) filed November 20, 2013. Being fully advised in the premise and for good cause shown, it is

ORDERED that Plaintiffs' Unopposed Motion to Allow Deposition Testimony of Witness Russell M. Bircher to be Introduced as Evidence at Trial Pursuant to Fed.R.Civ.P. 32(a)(4)(E) (ECF No. 110) is **GRANTED**. The deposition testimony of Russell M. Bircher may be designated by the parties before trial and used as evidence in the trial of this case pursuant to Fed.R.Civ.P. 32(a)(4)(E), in accordance with this Court's Rules and Practice Standards.

Dated: November 26, 2013

BY THE COURT:

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