

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.

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**ORDER**

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This matter comes before the Court on Plaintiffs' Unopposed Motion to Allow Preservation Deposition of Jesse Kurtz to be Introduced as Evidence at Trial Pursuant to Fed.R.Civ.P. 32(A)(4)(E) filed November 12, 2013. Being fully advised in the premise and for good cause shown, it is

ORDERED that Plaintiffs' Unopposed Motion to Allow Preservation Deposition of Jesse Kurtz to be Introduced as Evidence at Trial Pursuant to Fed.R.Civ.P. 32(A)(4)(E) (ECF No. 92) is **GRANTED**. The video preservation deposition of Jesse Kurtz can be 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 13, 2013

BY THE COURT:

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