

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 12-cv-00053-MSK-BNB

MAJOR JON MICHAEL SCOTT,

Plaintiff,

v.

THE CITY AND COUNTY OF DENVER,

Defendant.

SUPPLEMENTAL ORDER

By an Order [Doc. # 53], I granted the Defendant's Opposed Motion to Compel Independent Examination of Plaintiff Pursuant to Fed. R. Civ. P. 35 and required the plaintiff to submit to an examination:

(a) to occur in Denver, Colorado, at a location selected by the defendant. The location shall include a secure interview room, which is capable of being monitored, either through a glass partition or by video feed;

(b) at a date and time as the parties may agree, but no later than January 14, 2013;

(c) to be conducted by Dr. Brenda Schick;

(d) to obtain an objective measurement of the plaintiff's ability to communicate and his language skills and to obtain information necessary to rebut the opinions of Dr. Jean Andrews, plaintiff's expert. The examination is not to be conducted in such a manner as to constitute a de facto deposition; and

(e) which may be observed by Ms. Lucas in the same manner as it is observed by the plaintiff's guard or jailer. Ms. Lucas may not address the plaintiff or Dr. Schick during the examination and may not make any objection during the course of the examination.

I now am informed that the examination has been scheduled to occur at the facilities of the Denver Police Department on December 14, 2012, at 9:00 a.m.

IT IS ORDERED that the Department of Correction shall transport the plaintiff, Major Jon Michael Scott (DOC # 158887), to the Denver Police Department Headquarters, 1331 Cherokee Street, Denver, Colorado, 2nd floor holding cell, on December 14, 2012, at 9:00 a.m., for the purpose of allowing the Rule 35 examination to occur.

Dated December 12, 2012.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge