

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

Civil Action No. 12-cv-00221-RPM

SHARON KELLY and  
COLIN D. WRIGHT,

Plaintiffs,

v.

ALEX MARUSARZ,

Defendant.

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ORDER DENYING DEFENDANT'S MOTION TO COMPEL PHYSICAL EXAMINATION

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On July 10, 2012, the defendant filed a motion to compel physical examination of Sharon Kelly in Lakewood, Colorado. The plaintiffs' response shows that Sharon Kelly, a resident of Australia, was in Colorado for her deposition and would have been available for an independent medical examination at that time. The defendant's motion now seeks to impose an undue burden on the plaintiff to travel from Australia to Lakewood, Colorado, for this purpose. It is

ORDERED that the Motion to Compel Physical Examination of Sharon Kelly is denied.

Dated: August 3<sup>rd</sup>, 2012

BY THE COURT:

s/ Richard P. Matsch

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Richard P. Matsch, Senior District Judge