

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

Civil Action No. 12-cv-00609-WYD-MJW

JILL COIT,

Plaintiff,

v.

ARISTEDES ZAVARAS, [former] Director of the Colorado Department of Corrections,
JAMES WELTON, Director of C.I.D.,
LARRY REID, L.V.C.F.,
LLOYD WAIDE, L.V.C.F.,
C.I.D. DENNIS HOUGNON,
C.I.D. COLIN CARSON, D.W.C.F.,
JOAN SHOEMAKER,
DR. P. FRANTZ,
ROBERT CANTWELL, and
JOHN MARTIN,

Defendants.

MINUTE ORDER

ORDER ENTERED BY SENIOR JUDGE WILEY Y. DANIEL

THIS MATTER comes before the Court upon review of the Status Report submitted by the Plaintiff on August 15, 2014 (ECF No. 437).

By way of background, *pro bono* counsel for the Plaintiff entered his appearance on December 16, 2013. On March 31, 2014, Defendants filed their motions for summary judgment (ECF Nos. 431 and 432). On June 6, 2014, I granted Plaintiff leave to conduct depositions of three of the Defendants and the Defendants to conduct a deposition of the Plaintiff prior to responding to the pending motions for summary judgment. The parties then attempted to coordinate workable dates for the depositions prior to the August 15, 2014 deadline for the Status Report.

During this process, Plaintiff advised her counsel of the existence of documents (not in her possession) that she believes are critical for use in the depositions. These documents appear to be located with other governmental agencies, a special master who presided over another civil case in this Court, and other out-of-state correctional

facilities. In short, the scheduling of the depositions has been temporarily suspended, and counsel are working cooperatively to verify the existence of, locate, and retrieve as many of these documents as possible. (ECF No. 437).

Accordingly, the parties request that I set a new deadline for Plaintiff's counsel to file a second Status Report on November 28, 2014 regarding the progress and completion of obtaining this discovery. I agree that the parties must engage in this discovery process. Thus, the parties are ordered to file a joint Status Report not later than **November 28, 2014** regarding the progress and status of completion of the permitted discovery.

Further, in light of the parties' new request for more time to obtain additional discovery, I am concerned that the Defendants' motions for summary judgment, filed months ago prior to any supplemental discovery requests, will be stale and not fully apprise the Court of the issues to be resolved. Accordingly, Defendants' motions for summary judgment (ECF Nos. 431 and 432) are **DENIED WITHOUT PREJUDICE**. In the joint Status Report that is due November 28, 2014, the parties shall set forth a proposed briefing schedule for any renewed/updated motions for summary judgment.

Dated: August 18, 2014