

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01683-PAB-MJW

GREGORY TOY,

Plaintiff,

v.

AMERICAN FAMILY MUTUAL INSURANCE COMPANY,

Defendant.

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff Gregory Toy's Motion for Protective Order (Docket No. 85) is DENIED for the following reasons. Plaintiff shall sign the written requested releases.

Plaintiff argues that the written releases requested by Defendant are irrelevant to his claims and production of the written releases would result in undue burden and expense to Plaintiff. The court finds that both contentions are misplaced and unsupported. The requested releases and records are directly relevant to Plaintiff's claims for damages and are reasonably calculated to lead to the discovery of admissible evidence. "Relevant information need not be admissible at trial if the discovery appears reasonably calculated to lead to the discovery of admissible evidence." Fed. R. Civ.P. 26(b)(1); Gomez v. Martin Marietta Corp., 50 F.3d 1511, 1520 (10th Cir. 1995). Further, the court finds that providing the requested releases will not result in undue burden or expense to Plaintiff. For these reasons, the court conclude that a protective order pursuant to Fed. R. Civ. P. 26(c) is not warranted under these facts.

In light of the above ruling, it is FURTHER ORDERED that the Scheduling Order (Docket No. 20) is amended to extend the discovery cut-off date up to and including May 16, 2013 for the limited purpose of Defendant's deposition of Plaintiff Gregory Toy.

Date: April 16, 2013

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