

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02362-REB-KLM

RAYMOND MONTOYA,

Plaintiff,

v.

BRUCE NEWMAN, in his official capacity as the Sheriff of Huerfano County Jail,  
LARRY GARBISO,  
DOE #1, 2 - detention center officer at Huerfano County Jail,  
DOE #1-2, medical staff member at Huerfano County Jail, and  
CHARLES NEECE, M.D.,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on **Plaintiff's Motion to Reopen Discovery for Limited Purposes Related to Evidence of Spoliation** [#89]<sup>1</sup> (the "Motion").

IT IS HEREBY **ORDERED** that the Motion [#89] is **GRANTED**.<sup>2</sup> Accordingly,

IT IS FURTHER **ORDERED** that discovery is reopened for the limited purpose of allowing Plaintiff to take discovery regarding his allegation of spoliation of evidence. On or before **June 2, 2014**, Plaintiff may take the following discovery: (1) up to 7 hours of total deposition testimony, (2) service of one third-party subpoena, and (3) service of one request for production on Defendant Newman.

IT IS FURTHER **ORDERED** that Defendant Newman's response to the request for production shall be served on Plaintiff on or before **five business days** after the date of service of the request for production on Defendant Newman.

Dated: May 15, 2014

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<sup>1</sup> "[#89]" is an example of the convention I use to identify the docket number assigned to a specific paper by the Court's case management and electronic case filing system (CM/ECF). I use this convention throughout this Minute Order.

<sup>2</sup> The Court may rule on a pending motion at any time. D.C.COLO.LCivR 7.1(d).