

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02664-RM-KLM

BPS, a Minor and Disabled Person  
KATRINA L. STEWART, his Parent and Next Friend, and  
JOHN P. STEWART, his Parent and Next Friend,

Plaintiffs,

v.

BOARD OF TRUSTEES FOR COLORADO SCHOOL FOR THE DEAF AND BLIND,  
COLORADO SCHOOL FOR THE DEAF AND BLIND,  
LOUIS TUTT, Individually and in his Official Capacity as Principal for the Colorado School  
for the Deaf and Blind, and  
DOES 1-10, who are unknown persons,

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 the **Motion to Quash Subpoena to Produce** [#195] (the "Motion"), filed by Interested Party Colorado Department of Education ("CDE"). CDE seeks to quash the Subpoena to Produce served on it by Plaintiffs because the sought-after records are "privileged or protected, vague, overbroad, and subject CDE to an undue burden." Plaintiffs object to the Motion. However, CDE also states that "Plaintiffs' counsel and counsel for CDE have agreed to work together to pursue limitations on the subpoena that would be acceptable to both parties." Thus, although CDE conferred with Plaintiffs' counsel pursuant to D.C.COLO.LCivR 7.1(a), it is clear that the parties have yet to fully and meaningfully confer and that they may yet reach resolution without intervention by the Court. Accordingly,

IT IS HEREBY **ORDERED** that the Motion [#195] is **DENIED without prejudice**.

Dated: June 2, 2014