IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 12-cv-02786-MSK-BNB

WALTER F. WAGNER,

Plaintiff,

v.

DISCOVER BANK,

Defendant.

_____

ORDER

_____

This matter arises on the plaintiff's **Motion to Compel Discovery, Extend Deadlines,**

and Impose Discovery Sanctions, Including Striking the Affidavits Attached to Discover

Bank's Motion to Compel Arbitration and Reply in Support of Motion to Compel

Arbitration [Doc. # 45, filed 5/16/2013] (the "Motion to Compel"). I held a hearing on the

Motion to Compel this morning and made rulings on the record, which are incorporated here.

IT IS ORDERED:

(1)   The Motion to Compel [Doc. # 45] is GRANTED IN PART and DENIED IN

PART as follows:

• GRANTED to preclude Discover Bank from relying on the testimony or

evidence provided by the 76 current and former employees disclosed by Discover Bank on May

1, 2013;

• GRANTED to require Discover Bank to disclose the last known addresses of the

76 current and former employees disclosed by Discover Bank on May 1, 2013;

•GRANTED to require Discover Bank to provide full and complete answers, in writing and under oath, to Interrogatories 6 and 9;

• GRANTED to require Discover Bankto produce a copy of the Nationwide Credit Inc. Collector History Notes (Bates DISBNK000257-265) withheld from discovery on a claim of attorney-client privilege and work product immunity. I have reviewed the document *in camera* and conclude that it does not contain privileged communications between a lawyer and his or her client nor was it prepared in anticipation of litigation;

• GRANTED to require Discover Bank to produce unredacted copies of the policies concerning Third Party Communication, Call Monitoring/Recording, and Re-establishing Contact; and

• DENIED in all other respects.

(2)   Discover Bank shall provide the additional information and discovery responses consistent with this order on or before **July 9, 2013**

Dated June 25, 2013.

<div style="text-align:right">

BY THE COURT:

 s/ Boyd N. Boland
United States Magistrate Judge

</div>