

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

Civil Action No. 12-cv-02938-WJM-BNB

CHARLES C. ADAMS, JR., an individual,

Plaintiff,

v.

GRAND SLAM CLUB/OVIS, an Alabama corporation,

Defendant.

ORDER

This matter arises on **Plaintiff's Motion to Compel Responses to Discovery** [Doc. # 43, filed 7/8/2013] (the "Motion to Compel"). I held a hearing on the Motion to Compel today and made rulings on the record, which are incorporated here.

IT IS ORDERED:

(1) The Motion to Compel [Doc. # 43] is GRANTED IN PART and DENIED IN PART as follows:

- GRANTED to require the defendant to produce its accounting records, including its general ledger and Quick Books materials, showing total sales (unit and dollar sales) and profits of defendant's products and services as requested by Requests for Production 4 and 5;
- GRANTED to require the defendant to answer Interrogatory 4;
- GRANTED to require the defendant to state its gross revenues as requested in Interrogatories 6 and 7, but DENIED insofar as the plaintiff seeks to alter those interrogatories to call for a breakdown of the gross revenues for each Slam component (e.g. Grand Slam, Three-

Quarter Slam, Ovis World Slam, etc);

- GRANTED to require full and complete answers to Interrogatories 8 and 9;
- GRANTED to compel production of all documents responsive to Requests for Production 1, 2, and 3 except those subject to a privilege or immunity and to require the defendant to provide a log of any responsive documents withheld from production on a claim of privilege or immunity;

- DENIED with respect to Requests for Production 7, 8, and 9; and
- DENIED in all other respects.

(2) The defendant shall serve supplemental discovery responses consistent with the requirements of this Order and in full compliance with the formalities of the Federal Rules of Civil Procedure and produce all additional responsive documents on or before August 15, 2013.

(3) The case schedule is modified to the following extent:

Discovery Cut-Off: November 1, 2013

(All discovery must be completed by the discovery cut-off. All written discovery must be served so that responses are due on or before the discovery cut-off.)

Dispositive Motions Deadline: December 2, 2013

Expert Disclosures:

- (a) The plaintiff shall designate his damages expert and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) on or before September 2, 2013
- (b) The defendant shall designate its rebuttal damages expert and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) on or before October 2, 2013

Dated July 25, 2013.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge