

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer

Civil Action: 12-cv-03112-CMA-CBS
Date: May 29, 2013

FTR - Reporter Deck - Courtroom A402
Courtroom Deputy: Courtni Covington

Parties:

Counsel:

ROBERT R. MCREYNOLDS,

Pro Se

Plaintiff,

v.

ALBERTSONS,

Danielle L. Kitson

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: TELEPHONIC STATUS CONFERENCE

Court in Session: 10:05 a.m.

Court calls case. Appearance of counsel. Plaintiff appears *pro se*.

Discussion between the court and Mr. McReynolds regarding his **LETTER** [Doc. No. 38, filed 5/24/2013]. Plaintiff states that because his account is in the negative, the prison refuses to print or copy documents for him. The court notes the CDOC is not a party to the case and therefore has no authority to enter an order against them and that Mr. McReynolds can instead submit handwritten responses and objections to discovery. The circumstances Plaintiff outlines do not give the court reason to intrude on the prison's policies.

ORDERED: The court construes Plaintiff's **LETTER** [Doc. No. 38, filed 5/24/2013] as a Motion. For the reasons stated on the record, the **LETTER/MOTION** is **DENIED**.

ORDERED: The court will allow an additional 30 days from today for Plaintiff to handwrite his responses or objections to Defendant's discovery. Plaintiff's discovery responses or objections are due on or before **June 30, 2013**.

The court addresses the parties regarding Plaintiff's **MOTION to Compel** [Doc. No. 37, filed 5/24/2013]. Discussion regarding Mr. McReynold's footnote and the parties are in agreement that the correct party name should be Albertsons LLC. The court notes that discovery requests are subject to rules and discusses them with Mr. McReynolds.

Defense counsel agrees to provide Plaintiff with store wide criminal background checks and applications for employees hired for the period of 2009 to when Plaintiff was terminated in 2011. Plaintiff states that will be sufficient.

ORDERED: In light of the parties agreement, Plaintiff's **MOTION to Compel** [Doc. No. 37, filed 5/24/2013] is **DENIED** as moot.

The court instructs Plaintiff to confer with Defense counsel before filing any further Motions to Compel.

Plaintiff requests ten additional interrogatories. Discussion between the court and the parties regarding whether or not the additional interrogatories are the most cost effective means of discovery, if the case should be stayed until Plaintiff is released from prison in August, and the setting of discovery deadlines.

THE FOLLOWING WILL CONFIRM THE ACTIONS TAKEN AND DATES SET AT THE SCHEDULING CONFERENCE HELD THIS DATE:

Discovery Cut-off: **September 30, 2013**

Dispositive Motions deadline: **October 31, 2013**

Parties shall designate affirmative experts **on or before August 1, 2013.**

Parties shall designate rebuttal experts **on or before September 2, 2013.**

Interrogatories, Requests for Production of Documents, and Requests for Admissions shall be served **no later than August 27, 2013.**

ORDERED: The court grants leave for Plaintiff to serve ten more interrogatories in addition to the interrogatories he has yet to serve.

The court notes it is not restricting Defendant's right to propound proper objections to those interrogatories.

HEARING CONCLUDED.

Court in recess: 11:01 a.m.

Total time in court: 00:56

To order transcripts of hearings with Magistrate Judge Shaffer, please contact Avery Woods Reporting at (303) 825-6119 or toll free at 1-800-962-3345.