

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-03218-RM-MJW

WILLIAM BAZAREWSKI and  
HEATHER BAZAREWSKI,

Plaintiff(s),

v.

THE VAIL CORPORATION d/b/a VAIL RESORTS MANAGEMENT COMPANY,

Defendant(s).

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Defendant The Vail Corporation's Motion to Compel Rule 26(a)(1) Disclosures and Discovery Responses (Docket No. 46) is granted. Plaintiff<sup>1</sup> did not file any response to the motion, and thus the motion is deemed confessed. Furthermore, for the reasons stated in the subject motion, the court finds that the plaintiff's records related to the claims regarding the divorce and loss of income are relevant to the damages asserted in this case and are discoverable. Having not responded to the motion, plaintiff has not met his burden of demonstrating otherwise.

It is thus further ORDERED that on or before January 16, 2014, plaintiff shall fully respond to Defendant's Second Set of Requests for Production of Documents (Docket No. 46-1).

It is further ORDERED that plaintiff shall pay the defendant's reasonable attorney fees and expenses incurred by defendant in bringing the subject motion. The parties shall meet and confer to seek an agreement as to the amount of such reasonable attorney fees and expenses. If such an agreement is reached, they shall file notice with the court of such agreement. If such an agreement cannot be reached, then on or before January 16, 2014, defendant shall affidavit(s) and billing records supporting its claim for reasonable attorney fees and expenses. Plaintiff shall then have 14 days from the defendant's filing to file a response, and defendant shall then have 7 days to file any reply.

Date: December 26, 2013

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<sup>1</sup>On December 6, 2013, the parties filed a Stipulation of Dismissal, stipulating that the claim of Heather Bazarewski be dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). (Docket No. 48).