

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No: 13-cv-00468-REB-KMT
Courtroom Deputy: Sabrina Grimm

Date: May 15, 2014
FTR: Courtroom C-201

Parties:

AMY GARES,

Plaintiff,

v.

DENNIS SILER, and
NEW WORLD VAN LINES, INC., jointly and severally,

Defendants.

Counsel:

Howard Thigpen

Cash Parker

COURTROOM MINUTES

MOTION HEARING

1:30 p.m. Court in session.

Court calls case. Appearances of counsel.

Discussion and argument regarding untimely production of old medical records, Plaintiff's recent shoulder surgery, and potential sanctions requested by Defendants.

ORDERED: Defendants' Motion for Sanctions Pursuant to Fed. R. Civ. P. 37 [47] is **GRANTED IN PART AND DENIED IN PART**. Defendants are awarded their attorney's fees and costs for the following: 1) to re-depose Plaintiff; 2) to re-depose Plaintiff's retained medical expert 3) for Defendants' expert to review the untimely disclosed records and prepare a supplemental report; and 4) to prepare and to argue this motion, including the costs of preparing the cost and attorney fees petition for submission to the court after the necessary supplemental discovery is completed. Defendant is directed to submit an accounting of reasonable fees and costs associated with the items listed. The motion is denied in all other respects.

ORDERED: The Court **RECOMMENDS** that Judge Blackburn advises the jury that the exhibit currently labeled Exhibit R to Defendants' Motion for Sanctions

Pursuant to Fed. R. Civ. P. 37 [47] was wilfully withheld until after the close of discovery by Plaintiff.

ORDERED: Discovery cut-off is extended until July 1, 2014.

Mr. Parker states mediation is scheduled for July 1, 2014.

2:18 p.m. Court in recess.

Hearing concluded.

Total in-court time 00:48

*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.