

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01249-REB-KLM

JANEEN MEDINA,

Plaintiff,

v.

CATHOLIC HEALTH INITIATIVES, a Colorado Corporation,  
GERALDINE BEDNASH,  
MAUREEN COMER,  
RICHARD CORRENTE,  
DAVID R. EDWARDS,  
KATHERINE GRAY,  
BARBARA HAGEDORN,  
JAMES HAMILL,  
ANTOINETTE HARDY-WALLER,  
PHYLLIS HUGHES,  
DONALD JONES,  
ANDREA J. LEE,  
DAVID R. LINCOLN,  
KEVIN E. LOFTON,  
CHRISTOPHER R. LOWNEY,  
ELEANOR F. MARTIN,  
MARY MARGARET MOONEY,  
LILLIAN MURPHY,  
MARY JO POTTER,  
PATRICIA SMITH,  
EDWARD SPEED,  
DEAN SWINDLE,  
PATRICIA G. WEBB, and  
JOHN AND JANE DOES, 1-10, whose true names are unknown,

Defendants.

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ORDER

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on numerous discovery disputes between the parties. The latest such dispute sought the Court's intervention to schedule depositions in the case

because counsel for the parties were unable to agree on dates, among other issues. This is the second time the Court has been asked to resolve disputes about deposition scheduling. See *Courtroom Minutes/Minute Order* [#179]<sup>1</sup> at 2.

**IT IS ORDERED as follows:**

Counsel have been engaged in discovery abuse and abusive litigation practices, and I will not tolerate it. To attempt to cause the lawyers to live up to their professional and legal obligations, I will impose the following requirements before any future discovery motions are heard by the Court:

1. Counsel and each client involved in a discovery dispute must appear in person at any hearing concerning the dispute. In the case of a corporate client, the president or chief executive officer must attend.
2. After the lawyers have exhausted their obligation to confer under D.C.COLO.LCivR 7.1(a), but before calling the court regarding the discovery dispute, the lawyers must meet with their clients, review the positions they are taking, and obtain their clients' direction to proceed. Counsel must certify in writing prior to any discovery hearing that they complied with this requirement, that the client understands the action being taken, and that the client expressly directs that the action be taken. The certificate of compliance must be filed with the court prior to the discovery hearing.
3. In the event that I award a monetary sanction in connection with the discovery dispute, I will award it against the client in view of the certificate that the client directed that the action be taken.

Dated: July 8, 2014

BY THE COURT:



Kristen L. Mix  
United States Magistrate Judge

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<sup>1</sup> “[#179]” is an example of the convention I use to identify the docket number assigned to a specific paper by the Court’s case management and electronic case filing system (CM/ECF).