

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01997-CMA-MJW

MARY LESTER,

Plaintiff,

v.

CITY OF LAFAYETTE, COLORADO,

Defendant.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff's Motion to Compel (docket no. 22) is DENIED.

It is FURTHER ORDERED that Defendant is not required to respond to the propounded discovery requests as outlined in the subject motion (docket no. 22).

This court has previously ruled on these issues raised in the subject motion (docket no. 22) and this court's ruling is law of the case. This court allowed limited questions to be asked of Mr. Cheesman concerning his criminal background. See Exhibit B attached to Response (docket no. 27); see also Mason v. Texaco Inc., 948 F.2d 1546, 1553 (10th Cir. 1991). Accordingly, if Plaintiff believed that this court's previously ruling [Exhibit B] was incorrect, then Plaintiff should have filed a Fed. R. Civ. P. 72(a) objection with Judge Arguello. Plaintiff did not file timely such an objection. Moreover, this court finds that discovery requested in the subject motion (docket no. 22) is not reasonably calculated to lead to the discovery of admissible evidence and is irrelevant to issues before this court. Further, the court finds that the Plaintiff's requested scope of inquiry in the subject motion (docket no. 22) for Gary Klaphake's deposition, who is the City Administrator for the Defendant and is Mr. Cheesman's supervisor, is not reasonably calculated to lead to the discovery of admissible evidence and is irrelevant to issues before this court. For all of these reasons, the subject motion should be denied.

Date: March 28, 2014
