

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 13-cv-02261-REB-CBS

CHERI GABRIEL,

Plaintiff,

v.

COLORADO MOUNTAIN MEDICAL, P.C., and  
DR. BROOKS BOCK,

Defendants.

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**ORDER DENYING MOTION FOR SUMMARY JUDGMENT**

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**Blackburn, J.**

The matter before is **Defendants' Motion for Summary Judgment** [#37],<sup>1</sup> filed June 4, 2014. I have jurisdiction over this matter pursuant to 28 U.S.C. §§ 1331 (federal question) and 1367 (supplemental jurisdiction). Having reviewed the motion and response and the apposite arguments, authorities, and evidence presented by the parties, it is apparent that there exist genuine disputes of material fact that are not appropriate for summary resolution.<sup>2</sup>

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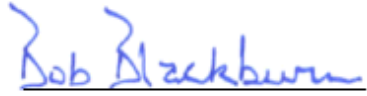
<sup>1</sup> “[#37]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

<sup>2</sup> I also specifically decline plaintiff’s offer – put forward in the final sentence of her response brief – to find as a matter of law that plaintiff was entitled to be reinstated to the full circumstances of her prior position, including the ability to hold a second job. (**See Plf. Resp. Br.** at 18.) This request is both undeveloped, *see Berkowitz v. Metwest, Inc.*, 2010 WL 5395777 at \*3 n.4 (D. Colo Dec. 23, 2010), and procedurally improper, D.C.COLO.LCivR 7.1(d). Moreover, there clearly are genuine disputes of material fact as to this issue.

**THEREFORE, IT IS ORDERED** that **Defendants' Motion for Summary Judgment** [#37], filed June 4, 2014, is **DENIED**.

Dated September 15, 2014, at Denver, Colorado.

**BY THE COURT:**

A handwritten signature in blue ink, appearing to read "Bob Blackburn", is written over a horizontal line.

Robert E. Blackburn  
United States District Judge