

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer

Civil Action: 13-cv-02296-REB-CBS
Courtroom Deputy: Amanda Montoya

Date: March 14, 2016
FTR – Reporter Deck-Courtroom A402

Parties:

Counsel:

BOB CUSTARD,

Pro se (video conference)

Plaintiff,

v.

DAVID ALLRED, *et al.*,

Timothy Jafek

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in session: 01:28 p.m.

Court calls case. Appearances of counsel. Mr. Custard is present via video conference.

This hearing comes before the court to address pending referred motions.

ORDERED: [276] *Plaintiff's Renewed Motion for Leave to Serve Ten Additional Requests for Production* is **GRANTED in part and DENIED in part**. The motion is granted to the extent that the Plaintiff has served the requests for production. The motion is denied in respect to the sufficiency of the responses.

- Requests for production 1 and 2 are MOOT in light of defense counsel's stipulation on the record on behalf of all of his clients that the outer doors to the cells are padded and the inner doors are not padded.
- The court will not require further response for request 3.
- Defense counsel advises the video tapes do not exist for request 4.
- In regards to request 5, Mr. Jafek shall provide stipulations as to each named defendant as to whether that named defendant was on duty at ADX on the designated dates and times, and whether that defendant had reason to be or was assigned to the Delta unit. This information shall be provided to Mr. Custard within 10 calendar days.
- The court denies request 6.
- The court will not require a further response for request 7.

- Defense counsel advises the report has been produced in regards to 8a.
- In regards to 8b, the court is requiring within 7 calendar days, a declaration from the appropriate ADX official, substantiating or explaining the claim of undue burden.
- The court will not require any further production for request 9.
- The court will not require any further production for request 10.

[235] Plt's Motion for Order Permitting Plt Ten Additional Production of Document Requests-And For A Limited Re-Opening of Discovery Long Enough to Serve Them is **DENIED AS MOOT.**

[282] Motion to Strike is **DENIED.**

[292] Motion for Order is **MOOT.**

[293] Motion for Hearing/Conference is **MOOT.**

[297] Motion for Order is **DENIED.**

The court will provide Mr. Custard a copy of this transcript and a copy of the cases cited during this hearing.

Mr. Jafek will provide the court with a new copy of docs. [257-3 and 257-4].

HEARING CONCLUDED.

Court in recess: 03:20 p.m.

Total time in court: 01:52

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