

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 14-cv-00040-REB-BNB

ANDREW SOLAZZO,

Plaintiff,

v.

KERRY BYNES, in his individual capacity, and
DOUGLAS SPENCE, in his individual capacity,

Defendants.

ORDER

Before me are the following:

(1) **Plaintiff [sic] Pro Se Motion to Strike Motions by Defendant as Redundant**

[Doc. #50, filed 12/18/2014] (the “Plaintiff’s Motion to Strike”);

(2) Plaintiff’s **Motion for Discoverable Information** [Doc. #54, filed 01/08/2015]; and

(3) **Defendants’ Motion to Strike Plaintiff’s Motion for Discoverable Information**

[Doc. #57, filed 01/15/2015] (the “Defendants’ Motion to Strike”).

The plaintiff requests an order striking the defendants’ reply in support of their motion to dismiss because it “does not assert any new defenses” and it is redundant of the motion to dismiss. The plaintiff’s Motion to Strike is frivolous and is DENIED.

In his Motion for Discoverable Information, the plaintiff makes “disclosures” regarding “Persons Likely to Have Discoverable Information” and provides a “Listing, Description, and Location of Documents, Data Compilations, and Tangible Things” and a “Damages Computation.” The plaintiff does not seek any relief. Therefore, the document is not a motion.

Moreover, a Scheduling Conference has not been set in this case, and discovery has not commenced. To the extent the plaintiff is attempting to serve disclosures or is seeking discovery, the document is inappropriate. The Motion for Discoverable Information is STRICKEN.

The defendants seek an order striking the plaintiff's Motion for Discoverable Information. The Defendants' Motion to Strike is GRANTED.

IT IS ORDERED:

- (1) Plaintiff's Motion to Strike [Doc. #50] is DENIED;
- (2) The Motion for Discoverable Information [Doc. #54] is STRICKEN; and
- (3) Defendants' Motion to Strike [Doc. #57] is GRANTED.

Dated January 26, 2015.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge