

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-CV-00204-MSK-MJW

HARVEY BOULTER  
(a Dubai, United Arab Emirates, Resident),

PLAINTIFF,

v.

GREENAUER DESIGN GROUP, INC., a Colorado corporation,

DEFENDANT.

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**ORDER REGARDING  
PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DISCOVERY REQUESTS  
(DOCKET NO. 37)**

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**Entered by Magistrate Judge Michael J. Watanabe**

This matter is before the court on Plaintiff's Motion to Compel Production of Discovery Requests (docket no. 37). The court has reviewed the subject motion (docket no. 37). Defendant did not file any timely response. In addition, the court has taken judicial notice of the court's file and has considered applicable Federal Rules of Civil Procedure and case law. The court now being fully informed makes the following findings of fact, conclusions of law, and order.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The court finds:

1. That I have jurisdiction over the subject matter and over the parties to this lawsuit;

2. That venue is proper in the state and District of Colorado;
3. That each party has been given a fair and adequate opportunity to be heard;
4. That in the subject motion (docket no. 37), Plaintiff seeks an Order from this court directing Defendant to fully respond to Plaintiff's Request for Production of Documents ("RFP") numbered 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24 relating to the production of GDG business records, and to compel answers to Interrogatories ("ROG") numbered 3, 4, 6, 9, and 10; and
5. That Defendant Greenauer Design Group, Inc. (Defendant) has failed to file any timely response to the subject motion (docket no. 37), and therefore this court deems the subject motion (docket no. 37) confessed. Defendant's response was due on October 22, 2014, and no response was filed.

### **ORDER**

**WHEREFORE**, based upon these findings of fact and conclusions of law this court **ORDERS**:

1. That Plaintiff's Motion to Compel Production of Discovery Requests (docket no. 37) is **GRANTED**. Defendant shall respond fully to all of the discovery requests as outlined the subject motion (docket no. 37) on or before November 17, 2014. All discovery exchanged during this case is subject to the Stipulated Protective Order

(docket no. 31); and

2. That each party shall pay their own attorney fees and costs for this motion.

Done this 27<sup>th</sup> day of October 2014.

BY THE COURT

s/Michael J. Watanabe  
MICHAEL J. WATANABE  
U.S. MAGISTRATE JUDGE