

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01114-WJM-MJW

EUGENE GALLEGOS and
DIANE GALLEGOS,

Plaintiff(s),

v.

SAFECO INSURANCE COMPANY OF AMERICA,

Defendant(s).

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiffs' Motion to Compel Discovery Re: Interrogatory 3 (docket no. 42) is DENIED for the following reasons. The information sought in Interrogatory 3 concerns past claims unrelated to this case based upon Defendant Safeco's voluntary payment of \$9,782.00 to Plaintiffs during depositions taken on October 9, 2014. Defendant Safeco has indicated that it paid the \$9,782.00 to Plaintiffs because the costs of this litigation, which continues to mount, are disproportionately greater than the relatively modest amount of actual damages claimed by Plaintiffs in this action. This court finds that interrogatory 3 is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Moreover, the court finds that the burden and expense of the proposed discovery sought in Interrogatory 3 upon Defendant Safeco outweighs its likely benefit, considering the needs of the case, the amount in controversy, the parties' resources, the importance of the issues at stake in the action, and the importance of the discovery in resolving the issues. See Fed. R. Civ. P. 26(b)(2)(C) and Bouchard v. Whetstone, 2010 WL 1435484, at *3 (D. Colo. Apr. 9, 2010).

Date: January 13, 2015
