

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01428-REB-MJW

JOSE MARTINEZ,

Plaintiff(s),

v.

FORDYCE AUTO CENTER, INC., and
GORDON FORDYCE,

Defendant(s).

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Defendant Fordyce Auto Center, Inc.'s Motion to Compel Responses to Requests for Admission Nos. 1-3 and Requests for Production of Documents Nos. 13-14 Pursuant to F.R.C.P. [sic] Fed. R. Civ. P. 37 (docket no. 40) is GRANTED for the reasons stated below.

In this case, Plaintiff is seeking lost past wages and future wage loss. I find that discovery concerning Plaintiff's immigration status is discoverable in a personal injury case since such discovery is relevant on the issue of lost income. See Romero v. Reiman Corp., 2011 WL 11037890 (D. Wyo. Dec. 21, 2011); Silva v. Wilcox, 223 P.3d 127, 131 (Colo. App. 2009). For this reason, the subject motion (docket no. 40) should be granted.

It is FURTHER ORDERED that Plaintiff shall provide to Defendant Fordyce Auto Center, Inc., full and complete responses to Request for Admissions Nos. 1, 2, and 3 and Request for Production Nos. 13 and 14 on or before March 13, 2015. Each party shall pay their own attorney fees and costs for the subject motion (docket no. 40) since this court finds that under these circumstances an award of expenses would be unjust.

Date: February 26, 2015
