

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01563-WYD-MJW

HAP POOL and
DARCI POOL,

Plaintiffs,

v.

MATCO MFG, a foreign corporation,

Defendant.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Defendant's Motion for Clarification of Order Re: Motion for Sanctions for Plaintiffs' Spoliation of Evidence (Docket No. 72) is DENIED.

As the Court explained in the last paragraph of its July 21, 2015, Minute Order (Docket No. 64):

Defendant requested broader sanctions, asking that Plaintiffs be prohibited from offering any evidence at all on these topics or on Mr. Pool's July 2012 inspection of the parking brake valve. The Court finds, however, that (outside of Mr. Pool's own testimony) **the prejudice to Defendant can be mitigated through cross-examination based upon the fact of Mr. Pool's July 2012 inspection.** Thus, to the extent Defendant seeks sanctions broader than those imposed above, the motion is denied.

(Docket No. 64, p.2 (emphasis added).)

The request Defendant seeks in this motion for "clarification" has already been considered and denied. No grounds for reconsideration have been asserted by Defendant, nor are any apparent to the Court. Accordingly, the motion is denied. This order is without prejudice to any potential motion in limine that may be filed.

Date: August 21, 2015
