

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 14-cv-02101-WYD-NYW

MICHELLE MEEKER,

Plaintiff,

v.

LIFE CARE CENTERS OF AMERICA, INC., d/b/a HERITAGE PARK CARE CENTER;
COLORADO MEDICAL INVESTORS, LLC, d/b/a HERITAGE PARK CARE CENTER;
TOWN OF CARBONDALE, COLORADO;
EUGENE SCHILLING, Chief of the Carbondale Police Department, in his official and
individual capacities;
MICHAEL ZIMMERMAN, Police Officer in the Carbondale Police Department, in his official
and individual capacities,

Defendants.

MINUTE ORDER

Entered By Magistrate Judge Nina Y. Wang

This matter is before the court on Defendants Life Care Centers of America, Inc. and Colorado Medical Investors, LLC's Motion to Stay Discovery Pursuant to D.C.COLO.LCivR 30.2 Pending Ruling on Objection/Appeal of the December 4, 2014 *Order on Discovery Motions*. [#210, filed December 9, 2015]. On December 4, 2015, this court ruled on certain pending discovery motions and ordered the production of additional financial documents related to Variable Interest Entities, which includes Defendant Colorado Medical Investors ("CMI"). [#204]. The court ordered production of the consolidated financials including the VIEs no later than December 11, 2015. [*Id.* at 15].

Defendants Life Care Centers of America, Inc. and Colorado Medical Investors, LLC (collectively, "the Life Care Defendants") objected to the Order. [#206]. They now seek a stay pursuant to D.C.COLO.LCivR 30.2 to avoid disclosure of the consolidated financials including the VIEs, pending the determination of the Honorable Wiley Y. Daniel of the pending objection. [#210]. Plaintiff has indicated that the consolidated financials are relevant to her claim for punitive damages and her understanding of the financial condition of Defendant CMI.

Discovery has closed in this matter, and the LCCA Defendants have filed a dispositive motion seeking judgment in their favor on all claims and dismissal with prejudice. [#209]. It

does not appear that the financial condition of the LCCA Defendants is at issue in the pending dispositive motion. [*Id.*]. In addition, no trial date has been set in this matter. Therefore, given the LCCA Defendants' concern with respect to the disclosure of the consolidated financial documents, this court concludes that it is appropriate to grant a stay as to the disclosure of the consolidated financial documents until Judge Daniel has an opportunity to rule on the pending Objection.

Accordingly, **IT IS ORDERED** that:

(1) Defendants Life Care Centers of America, Inc. and Colorado Medical Investors, LLC's Motion to Stay Discovery Pursuant to D.C.COLO.LCivR 30.2 Pending Ruling on Objection/Appeal of the December 4, 2014 *Order on Discovery Motions* [#210] is **GRANTED**;

(2) The portion of the Order [#204] directing the Life Care Defendants to produce the consolidated financials no later than December 11, 2015 is **STAYED**; and

(3) All other portions of the Order **REMAIN IN EFFECT**.

DATED: December 18, 2015