

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge S. Kato Crews

Civil Action No. 1:18-mc-00175-MSK-SKC

JOSE FRANKLIN, also known as Monica James,

Plaintiff,

v.

HOWARD BROWN HEALTH CENTER,

Defendants.

ORDER SETTING MOTION HEARING

Magistrate Judge S. Kato Crews

Currently pending before the Court is Defendant Howard Brown Health Center's Motion for an Order Compelling Non-Party to Comply with Document Subpoena Issued Pursuant to Federal Rule of Civil Procedure 45 (the "Motion") [ECF. #1] which was referred to this Court. [ECF. #7]. This Court has determined that oral argument would materially assist in the disposition of the Motion.

Accordingly, a Motion Hearing is set before Magistrate Judge S. Kato Crews for **Monday, November 26, 2018 at 10:30 AM**, in Courtroom C-204 of the Byron G. Rogers United States Courthouse, 1929 Stout Street, Denver, Colorado 80294.

The Court will take into consideration additional evidence offered by any party, including Ms. Naveah Anderson, at the Motion Hearing. The parties should be prepared for the Court to rule on the Motion at the Motion Hearing.

Accordingly, IT IS ORDERED that:

1. A Motion Hearing is set for Monday, November 26, 2018, at 10:30 AM in Courtroom C204 before Magistrate Judge S. Kato Crews;
2. Counsel of Record for Defendant is directed to subpoena or otherwise secure Ms. Naveah Anderson's attendance at the Motion Hearing;
3. Counsel of Record for Defendant is directed to serve this Order, the Motion [ECF. #1], and Defendant's Supplemental Memorandum in Support of Its Motion [ECF. #7] on Ms. Naveah Anderson; and
4. On or before October 29, 2018, Counsel of Record for Defendant shall file a Notice of Compliance certifying compliance with this Order.

NOTICE TO UNREPRESENTED INDIVIDUALS:

The Defendant Howard Brown Health Center is requesting that this Court require Ms. Naveah Anderson to produce certain documents related to a case being brought by Ms. Monica James against Defendant. Defendant believes that Ms. Anderson has not completely turned over all documents that Defendant has requested from Ms. Anderson in a subpoena issued on August 9, 2018. By this Order, the Court is setting a court hearing for Monday, November 26, 2018 at 10:30 AM in Denver, Colorado, at the address mentioned in the Order above. The hearing is being held to provide Ms. Anderson with an opportunity to either: (1) turn over all remaining documents requested by Defendant; or (2) offer any reasoning or excuse for not turning over any additional documents to Defendant. The Court will allow the Plaintiff, Defendant, and Ms. Anderson an opportunity to submit

additional documents, evidence, or argument at the Hearing before it makes its ruling on the Defendant's request.

If the Court believes that Ms. Anderson has additional information that she has been withholding, it may order her to provide the Defendant with that information by a certain date. The Court has also required the attorneys for Defendant to subpoena (or otherwise secure attendance of) Ms. Anderson to attend the hearing, and to provide Ms. Anderson with the documents it has filed in this Court.

DATED: October 22, 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to read "S. Kato Crews", written over a horizontal line.

S. Kato Crews
United States Magistrate Judge
District of Colorado