

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Timothy P. O'Hara

Civil Action: 24-cv-02284-DDD-TPO
Courtroom Deputy: Cathy Pearson

Date: July 16, 2025
FTR – Courtroom C402

Parties:

Counsel:

KRISTEN FRY,

James Kerwin

Plaintiff,

v.

SCHOOL DISTRICT NO.1,
AUON'TAI ANDERSON,
HASHIM COATES,
SCOTT ESSERMAN,
XOCHITL GAYTAN,
MICHELLE QUATTLEBAUM, and
MIDIAN SHOFNER,

Jonathan Fero

Pro Se

Pro Se

Defendant.

COURTROOM MINUTES

STATUS/DISCOVERY CONFERENCE

Court in session: 3:31 p.m.

Court calls case. Appearances of counsel and pro se Defendants Hashim Coates and MiDian Shofner.

This matter is before the court regarding the status of the case, the discovery disputes identified in the Joint Discovery Dispute Statement submitted via e-mail by the Parties to this Court's chambers and the following pending motions, which have been referred to this Court:

- Defendant Hashim Coates' Request for Extension for Discovery and ESI [ECF 120]; and
- Defendant MiDian Shofner's Motion for Extension of Time to Respond to Plaintiff's Discovery Requests and to Modify Discovery Cut-off Deadline [ECF 133]

Discussion held regarding discovery that has been served on Defendants.

The Court addresses Defendant MiDian Shofner's Motion for Extension of Time to Respond to Plaintiff's Discovery Requests and to Modify Discovery Cut-off Deadline [ECF 133].

The Court addresses Defendant Hashim Coates' Request for Extension for Discovery and ESI [ECF 120].

Argument given by Ms. Shofner, Mr. Coates, and counsel for Plaintiff.

For the reasons stated on the record, it is:

ORDERED: Defendant Hashim Coates' Request for Extension for Discovery and ESI [ECF 120] is **GRANTED in part and DENIED in part**. The motion is granted as to the extension but denied as to the length of time. **Answers to all written discovery shall be completed by August 6, 2025. Further extensions will only be granted for extraordinary circumstances.**

Defendant MiDian Shofner's Motion for Extension of Time to Respond to Plaintiff's Discovery Requests and to Modify Discovery Cut-off Deadline [ECF 133] is **GRANTED in part and DENIED in part**. The motion is granted as to the extension but denied as to the length of time. **Answers to all written discovery shall be completed by August 6, 2025. Further extensions will only be granted for extraordinary circumstances.**

The Court addresses the discovery disputes identified in the Joint Discovery Dispute Statement submitted via e-mail by the Parties to this Court's chambers.

Argument given by Mr. Kerwin, Mr. Fero, Mr. Coates, and Ms. Shofner.

For reasons stated on the record, it is:

ORDERED: As to the ESI protocol with Defendant DPS (School District 1), the relevant documents shall be disclosed in PDF format at this time, and the parties shall continue to confer on disclosure using TIFF+ format. This conferral shall occur by **July 31, 2025**.

As to the ESI protocol with Defendant MiDian Shofner, the Parties shall confer on the remaining areas of non-agreement relating to the ESI protocol. This conferral also shall occur by **July 31, 2025**.

As to Defendant Hashim Coates, this Court will order some form of an ESI protocol, the details of which need to come through conferral. The Court orders Mr. Coates to confer with Plaintiff's counsel on this issue by **July 31, 2025**. Silence is not conferral.

Discussion held regarding the email address Mr. Coates would like Plaintiff's counsel to use for communication.

HEARING CONCLUDED.

Court in recess: 5:17 p.m.

Total time in court: 1:46

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