

In the United States District Court
For the District of Colorado

Civil Action No. 14-cv-00245-MSK-MJW

Reverend Matt Hale,
Plaintiff,

v.

Federal Bureau of Prisons,
Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUN 15 2017

JEFFREY P. COLWELL
CLERK

Objections to Magistrate's Order Denying
Plaintiff's Motion for Protective Order
(Doc. 174)

Pursuant to Rule 72(a) of the
Federal Rules of Civil Procedure, Plaintiff
Reverend Matt Hale objects to the order
issued on June 7, 2017 as being based
upon a clearly erroneous understanding of
Rule 26(c) of the Federal Rules of Civil

Procedure, stating as follows:

The wording from Rule 26(c) — which the magistrate emphasizes in bold type — merely sets forth who can file a motion for a protective order; it does not limit the reach of such an order as the magistrate opined. In other words, since Plaintiff is clearly someone from whom discovery has been sought in this case, he is allowed to seek a protective order; the fact that the order which he seeks does not relate to specific discovery sought from him is irrelevant. All that matters, rather, is that he is a person from whom discovery has been sought in the course of the case. That is what entitles him to seek a protective order.

The rule, on its clear terms, does not require that the dispute between the parties involve a specific discovery request. Rather, a protective order may be sought and issued it, during the course of discovery,

oppression of one party by another has occurred. That is what has happened here by virtue of the Defendant punishing and prohibiting Rev. Hale from raising money to pay for the cost of the depositions he would like to take in this case.

De novo review of this matter is thus warranted since the basis for the magistrate's decision is clearly erroneous.

Respectfully submitted,

Rev. Matt Hale

June 11, 2017

Rev. Matt Hale
#15177-424
U.S.P. - Max.
P.O. Box 8500
Florence, CO 81226

Certificate of Service

I, Reverend Matt Hale, hereby certify that on June 12, 2017, I duly mailed a copy of these Objections to Susan Prose, attorney for the Defendant, at 1801 California St., Suite 1600, Denver, CO 80202, postage fully prepaid.

Rev. Matt Hale

Rev. Matt Hale

Plaintiff

Rev. Matt Hale #15177-424
U.S. Penitentiary MAX
PO Box 8500
Florence, Colorado 81226

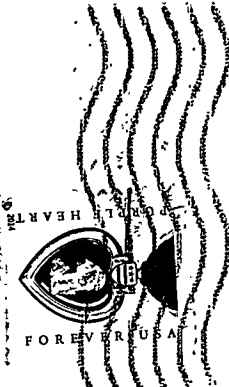
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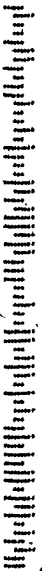
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JAH

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United States District Court
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