

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED: May 17, 2024
Original Proceeding District Court, City and County of Denver, 2017CV32645	
<b>In Re:</b>	Supreme Court Case No: 2024SA47
<b>Plaintiff:</b>  Jina Garcia,	
<b>v.</b>	
<b>Defendant:</b>  Centura Health Corporation.	
ORDER OF COURT	

Upon consideration of Petitioner Jina Garcia’s Petition for Rule to Show Cause Pursuant to C.A.R. 21, Respondent Centura Health Corporation’s answer brief, and Petitioner’s reply, and being sufficiently advised in the premises,

IT IS HEREBY ORDERED as follows:

1. The Order and Rule to Show Cause issued by this Court on February 20, 2024 is hereby MADE ABSOLUTE, and this case is remanded to the District Court for further proceedings as described below.

2. In ordering Petitioner to respond, over her objections, to the discovery requests at issue, the District Court did not adequately conduct the analyses required by the applicable rules and this Court’s case law to support its order.

3. Accordingly, the District Court's January 17, 2024 order is VACATED, and this case is remanded with instructions that the District Court reconsider the discovery matters before it as follows:

A. The District Court shall determine and make specific findings regarding whether the discovery sought by Respondent is relevant to the claims and defenses in this case, keeping in mind that this lawsuit involves claims of wrongful liens for which statutory damages are established by law. Accordingly, relevance is not established by the fact that the discovery sought is typical of the types of discovery requested in motor vehicle accident cases.

B. If the District Court finds that the discovery sought by Respondent is relevant to the claims and defenses in this case, and if the discovery sought seeks private and privileged medical and financial information, attorney work-product, and other private and confidential information, then the District Court shall perform the balancing test required by *In re District Court*, 256 P.3d 687 (Colo. 2011), and shall determine and make specific findings regarding whether to order the requested discovery over the privacy and confidentiality concerns asserted by Petitioner.

C. After conducting the foregoing analyses, the District Court shall determine and make specific findings regarding whether the discovery sought by Respondent is proportional to the needs of this wrongful lien action.

4. In light of the foregoing, Respondent's request for oral argument in this case is DENIED as moot.

BY THE COURT, EN BANC, MAY 17, 2024.