

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Alexander Noel Garcia v. Experian Information Solutions, Crediting Reporting Agency

Garcia · No. 22-cv-02769-GPG-KAS · Decided December 18, 2025

SUMMARY

This minute order addresses multiple discovery-related motions in Alexander Noel Garcia’s action against Experian Information Solutions. The court denied motions for contempt, sanctions, a protective order, and judicial notice, and denied without prejudice a motion to compel. The court granted in part a motion to extend case deadlines and set revised expert-disclosure, discovery, and dispositive-motion deadlines.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Kathryn A. Starnella
JURISDICTION	United States District Court for the District of Colorado
DECIDED	December 18, 2025
DOCKET	22-cv-02769-GPG-KAS
DISPOSITION	other
PROCEDURAL POSTURE	The magistrate judge considered the plaintiff's motions for contempt, sanctions, extension of deadlines, protective order, supplemental and amended discovery responses, leave to request judicial notice, and additional sanctions, all of which had been referred to the court.
STANDARD OF REVIEW	Civil contempt required clear and convincing proof that a party disobeyed a court order. Motions for discovery sanctions and protective relief were evaluated based on whether the defendant violated the discovery order or engaged in sanctionable or abusive conduct. A request for judicial notice was evaluated under Federal Rule of Evidence 201(c)(2).
PRECEDENTIAL VALUE	unpublished
PARTIES	Alexander Noel Garcia v. Experian Information Solutions, Crediting Reporting Agency

TOPICS

discovery dispute sanctions contempt civil procedure

PRACTICE AREAS

civil procedure discovery discovery sanctions civil contempt judicial notice

QUESTIONS PRESENTED

1. Whether Experian or its former counsel should be held in civil contempt for allegedly failing to comply with the October 2, 2025 discovery order.
2. Whether Experian should be sanctioned for the alleged discovery-order noncompliance and related conduct.
3. Whether the case deadlines should be extended by 45 days and whether further extensions should be barred.
4. Whether a protective order was warranted based on alleged discovery abuse and litigation gamesmanship.
5. Whether Experian should be compelled to provide supplemental or amended discovery responses and sanctioned.
6. Whether Garcia should be permitted to request judicial notice of state court orders, mail-tracking records, and case law without attaching the documents or demonstrating their relevance.
7. Whether additional sanctions were warranted based on alleged misrepresentations about document mailing dates and statements concerning Tammy Estrada's role.

HOLDINGS

1. Civil contempt was unwarranted because Garcia did not prove by clear and convincing evidence that Experian disobeyed the court's order; Experian timely mailed the documents and subsequently took reasonable steps to substantially comply.
2. Sanctions were denied because Experian did not violate the prior order and the court identified no sanctionable conduct.
3. The motion to extend deadlines was granted in part for all parties, but the request to prohibit any future extensions for Experian was denied.
4. A protective order was denied because Garcia did not establish abusive discovery tactics, falsified mailing dates, or other sanctionable conduct warranting protective relief.
5. The motion to compel was denied without prejudice because Garcia did not specifically explain how the discovery responses were deficient and did not attach the disputed responses for review.
6. Leave to request judicial notice was denied without prejudice because Garcia did not attach the documents, provide the necessary information, or demonstrate their relevance, and appeared to seek factual and legal conclusions from them.

7. Additional sanctions were denied because Garcia identified no sanctionable conduct; Experian's statement about Estrada's involvement was supported by Garcia's own filing and was consistent with the court's prior order.

KEY QUOTATIONS

“A prerequisite to civil contempt is that a party disobeyed a court order.” (Section A)

“[A] plaintiff must prove liability by clear and convincing evidence.” (Section A)

“[I]t is a defense to a claim of civil contempt if the [d]efendant takes all reasonable steps and substantially complies with the court order.” (Section A)

“Judicially noticed documents . . . are only considered to show their contents, not to prove the truthfulness of those contents.” (Section F)

FACTUAL BACKGROUND

The court had ordered Experian to produce certain documents to Garcia by October 14, 2025. Experian mailed the documents before the deadline, but Garcia's facility refused delivery because the mailing did not include defense counsel's bar number; Experian then notified Garcia and promptly resent the documents, which were delivered on November 3, 2025. Garcia subsequently alleged discovery noncompliance, deficient discovery responses, abusive tactics, false statements concerning mailing dates, and improper involvement by a person assisting him with filings.

PROCEDURAL HISTORY

After an October 2, 2025 discovery hearing, the court ordered Experian to produce specified documents by October 14, 2025. Garcia filed multiple motions alleging noncompliance, discovery abuse, sanctionable conduct, and other deficiencies. Experian responded that it timely mailed the documents, that the prison initially refused delivery, and that it promptly remailed the documents; the court denied or partially granted the motions as specified in the minute order.

DISPOSITION

other

CASES CITED

- F.T.C. v. Kuykendall, 371 F.3d 745, 756-57 (10th Cir. 2004)
- Spectra Sonics Aviation, Inc. v. Ogden City, No. 89-4142, 1991 WL 59369, at *2 (10th Cir. Apr. 19, 1991)
- Faircloth v. Hickenlooper, No. 18-cv-01249-RM-STV, 2019 WL 13359576, at *2 (D. Colo. Feb. 13, 2016)
- White River Vill., LLP v. Fidelity & Deposit Co. of Maryland, Nos. 08-cv-00248-REB-MEH, 08-cv-00359-REB-MEH, 2009 WL 2913242, at *1 (D. Colo. Sept. 8, 2009)
- Maturin v. T-Mobile USA, Inc., No. 24-cv-1125 JCH/SCY, 2025 WL 1642420, at *3 (D.N.M. June 10, 2025)

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