

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Melissa Lammert v. Wellpath, LLC; Jeannette Lynn Simmons; Lynn Ilarraza; Brenda Wendt; and John Does #1–#5

Lammert · No. 24-cv-00438-CNS-CYC · Decided April 14, 2026

SUMMARY

The United States District Court for the District of Colorado addresses Defendants’ motion to restrict filings concerning a motion to modify the scheduling order and related exhibits. The court denies the restriction request in part and without prejudice in part, finding that the defendants did not sufficiently identify confidential medical information or provide adequate legal support under the applicable local rules. The court maintains the filings under Level 1 restriction until April 24, 2026, and permits the defendants to file a compliant renewed motion.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Cyrus Y. Chung
JURISDICTION	United States District Court for the District of Colorado
DECIDED	April 14, 2026
DOCKET	24-cv-00438-CNS-CYC
DISPOSITION	other
PROCEDURAL POSTURE	The court considered Defendants’ Motion to Restrict, which sought Level 1 restriction of a motion to modify the scheduling order and ten exhibits containing or allegedly containing medical information.
STANDARD OF REVIEW	The court exercised its discretion over access to its records, applying the presumption of public access and requiring the party seeking restriction to identify a real and substantial interest, a clearly defined and serious injury, and why no less restrictive alternative would adequately protect that interest.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive, nonprecedential authority.

TOPICS

- civil procedure
- discovery dispute
- medical records privacy
- hipaa
- health law

PRACTICE AREAS

civil procedure

court records access

health information privacy

QUESTIONS PRESENTED

1. Whether Defendants satisfied the requirements for restricting court filings based on generalized references to personal medical information and HIPAA.
2. Whether the deposition notices could properly be restricted when they were prepared by Plaintiff and did not appear to contain Defendants' descriptions of medical information.
3. Whether the court should deny without prejudice the request to restrict the remaining exhibits and temporarily maintain restriction to allow a compliant renewed motion.

HOLDINGS

1. A party seeking to restrict court documents must identify the interest to be protected, explain why it outweighs the presumption of public access, identify a clearly defined and serious injury, explain why no less restrictive alternative is practicable, and provide legal support for the requested restriction. Generalized assertions that documents contain confidential medical information or are protected by HIPAA are insufficient.
2. Exhibits 2, 3, 4, and 10 could not remain restricted at Level 1 on the showing made because they consisted of deposition notices prepared by Plaintiff and did not appear to contain Defendants' descriptions of personal medical information.
3. The request to restrict the remaining exhibits was denied without prejudice, while the court temporarily maintained Level 1 restriction on the motion to modify the scheduling order and the grouped exhibits until April 24, 2026, to allow Defendants to file a compliant motion or redacted documents.

KEY QUOTATIONS

"All courts have supervisory powers over their own records and files. Thus a court, in its discretion, may seal documents if the public's right of access is outweighed by competing interests." (Order text)

"At the same time, there is a well-established presumption against restricting access to court documents." (Order text)

"To be sure, 'the privacy interest inherent in personal medical information can overcome the presumption of public access,'" (Order text)

FACTUAL BACKGROUND

Defendants sought to restrict a motion to modify the scheduling order and ten exhibits because the filings allegedly described Defendant Brenda Wendt's medical conditions and their effect on her ability to sit through a lengthy deposition. The exhibits included deposition notices, email chains between counsel, and Plaintiff's responses to discovery requests. Defendants relied generally on privacy concerns and HIPAA but did not identify the specific portions allegedly containing protected information or provide sufficient legal support for restricting the documents.

PROCEDURAL HISTORY

Defendants filed a motion seeking to restrict their motion to modify the scheduling order and its exhibits. Plaintiff objected that the motion did not satisfy the requirements for restricting court records. The court denied the request in part and without prejudice in part, while temporarily maintaining Level 1 restriction on the motion and grouped exhibits to permit Defendants to file a compliant renewed motion.

DISPOSITION

other

CASES CITED

- United States v. Hickey, 767 F.2d 705, 708 (10th Cir. 1985)
- Turnkey Sols. Corp. v. Hewlett Packard Enter. Co., No. 15-cv-01541-CMA-CBS, 2017 WL 11544730, at *1 (D. Colo. Apr. 27, 2017)
- JetAway Aviation, LLC v. Bd. of Cnty. Comm'rs of Montrose, 754 F.3d 824, 826–27 (10th Cir. 2014)
- Pine Tele. Co. v. Alcatel-Lucent USA Inc., 617 F. App'x 846, 852 (10th Cir. 2015)
- United States v. Dillard, 795 F.3d 1191, 1205–06 (10th Cir. 2015)