

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Jose Pablo Fernandez v. Tequilas Inc., et al.

Fernandez · No. 1:23-cv-01382-GPG-SBP · Decided March 23, 2026

SUMMARY

The United States District Court for the District of Colorado overruled objections by several defendants to a Special Master’s discovery-related order and adopted that order in full. The court held that the Special Master’s factual findings were final under the parties’ stipulated appointment order and reviewed the legal conclusions de novo under Federal Rule of Civil Procedure 53. The court also warned the parties that frivolous objections or failure to confer could lead to sanctions-related briefing.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Susan Prose
JURISDICTION	United States District Court for the District of Colorado
DECIDED	March 23, 2026
DOCKET	1:23-cv-01382-GPG-SBP
DISPOSITION	other
PROCEDURAL POSTURE	Defendants objected under Federal Rule of Civil Procedure 53 to a Special Master's discovery order. The district court overruled the objections and adopted the Special Master's Order in all respects.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 53(f), stipulated factual findings of the Special Master were treated as final and were not reviewable, while the Special Master's conclusions of law were reviewed de novo.
PRECEDENTIAL VALUE	unknown
PARTIES	Jose Pablo Fernandez v. Tequilas Inc., et al., 3Gengagement, LLC, Entrprnrbox, LLC, Rositas Mexican Restaurant

TOPICS

- discovery dispute
- sanctions
- civil procedure
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the parties' stipulation and the order appointing the Special Master made the Special Master's factual findings final and unreviewable.
2. Whether the court had provided the notice and opportunity to be heard required by Federal Rule of Civil Procedure 53(f)(1).
3. Whether the Special Master acted within the authority granted by the court by imposing discovery obligations and potentially imposing or recommending sanctions.
4. Whether the Special Master's conclusions of law were correct and whether the discovery directives required prior resolution of underlying factual disputes.

HOLDINGS

1. The court would not disturb the Special Master's factual findings because the parties, with the court's approval, stipulated that those findings would be final and no party timely objected to that provision of the order appointing the Special Master.
2. The court reviews a Special Master's conclusions of law de novo.
3. The defendants' notice objection failed because Rule 53(f)(1) requires the court, rather than the Special Master, to provide the parties notice and an opportunity to be heard, and that requirement was satisfied through the district court's review of the objections and ruling.
4. The Special Master acted within the authority granted by the court by resolving discovery disputes, imposing standard discovery obligations, and potentially imposing or recommending sanctions within the limits specified in the order of appointment.
5. The Special Master's discovery directives were proper and did not require prior resolution of an underlying factual dispute.

KEY QUOTATIONS

"Therefore, this court will not disturb the Special Master's findings of fact." (II.A)

"The court finds that the Special Master has properly exercised his authority to impose these standard discovery obligations and that none of them required him to first resolve an underlying factual dispute." (II.B)

"Defendants' Objections to the Special Master's Order (ECF No. 269) are OVERRULED and the Special Master's Order (ECF No. 255) is ADOPTED, in all respects." (III)

FACTUAL BACKGROUND

The Special Master's Order addressed discovery obligations involving the defendants and the so-called "Tequila's Nine" defendants. It directed defendants to complete discovery production, certify that relevant evidence had been produced when applicable, and potentially provide future depositions under Rule 30(b)(6) if

further proof warranted them. The objecting defendants challenged the Special Master's authority, the adequacy of notice, the evidentiary basis for the order, and the threatened possibility of sanctions and fee-shifting.

PROCEDURAL HISTORY

The court had appointed Michael E. Hegarty as Special Master and referred discovery disputes to him. The Special Master issued an order on December 15, 2025, concerning Plaintiff's discovery requests and obligations. Several defendants filed objections, which the court reviewed and overruled.

DISPOSITION

other

CASES CITED

- Sinclair Wyo. Ref. Co. v. A & B Builders, Ltd., 989 F.3d 747, 782 (10th Cir. 2021)
- Morales-Fernandez v. INS, 418 F.3d 1116, 1119, 1122 (10th Cir. 2005)