

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **92-cv-00870-EWN**

JESSE MONTEZ, et al.

Plaintiffs, as representatives of themselves and all others similarly situated in
the class action,

v.

BILL OWENS, et al,

Defendants.

Re: Claimant James P. Wylie, Claim number 03-430

ORDER

Kane, J.

This matter is before the court on Claimant, James P. Wylie's various motions and Objections to the Final Order of Special Master. In a lengthy and well considered ruling, the Special Master detailed the claimant's medical condition as well as a number of other factors that relate to the claimant's visual perception and other problems. The Special Master found that Mr. Wylie was entitled to a pair of filtered glasses to help with his vision problems. The Special Master further found that the claimant was not entitled to a monetary award.

Mr. Wylie subsequently filed three documents. First, I will consider the document entitled "Rule 53" (doc. #3244), filed March 3, 2008, which appears to be a request to file an objection to the final order as provided for by Rule 53(g)(2) of the Federal Rules of Civil Procedure. That Motion is GRANTED as Mr. Wylie is entitled to object.

The next document (doc. #3325), filed April 1, 2008 is entitled “Motion to Appeal in Part and Clarification of Final Order of Special Master”. While the document purports to be a motion to appeal, it is, actually a detailed objection, and will be considered as such. I have reviewed the objection and its attachments. The objection is OVERRULED.

Last, Mr. Wylie filed a Motion for Oral Argument (doc. #3376), filed May 2, 2008. That motion for oral argument is DENIED.

The Final Order of Special Master (doc. #3156), and specifically the finding that claimant is entitled to filtered glasses to correct his Scotopic Sensitivity Syndrome (SSS), is AFFIRMED.

Dated: May 7, 2008

BY THE COURT:

s/John L. Kane

JOHN L. KANE, SENIOR JUDGE
UNITED STATES DISTRICT COURT

Service of this order shall be made via NEF, with standard mailing to Mr. Wylie.