

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 06-cv-01069-MSK-BNB

CENTER FOR NATIVE ECOSYSTEMS, and
THE COLORADO NATIVE PLANT SOCIETY,

Plaintiffs,

v.

UNITED STATES FISH AND WILDLIFE SERVICE,

Defendant.

ORDER SETTING RULE 16 HEARING

THIS MATTER comes before the Court upon a Complaint for Declaratory and Injunctive Relief filed by the Plaintiff. In light thereof, a hearing pursuant to Fed. R. Civ. P. 16(b) and D.C.COLO.LCivR 16.1 is necessary.

IT IS ORDERED:

- (1) A hearing is set for **August 18, 2006 at 8:30 a.m.** in Courtroom A901 of the United States Courthouse located at 901 19th Street, Denver, Colorado. Counsel who will try the case shall attend the hearing.
- (2) No later than **July 18, 2006**, the parties shall meet and confer regarding the contents of the proposed scheduling order pursuant to Fed. R. Civ. P. 26(f).
- (3) On or before **August 8, 2006**, and in conformance with Fed. R. Civ. P. 26(f), D.C.COLO.LCivR 16.1, 16.2 and 26.1, and this Order, the parties shall prepare and submit a proposed scheduling order. The proposed scheduling order shall be in the form specified by D.C.COLO.LCivR Appendix F **except** that:
 - (a) It shall not contain a signature line for a judicial officer.
 - (b) It shall address the following:
 - An appropriate mechanism for resolving the Plaintiff's claim.
 - Whether there are stipulated facts which bear on resolution of the claim.
 - Whether discovery is needed.

- (c) It shall not address the matters set forth in Section 8 (Case Plan and Schedule), Section 10 (Other Scheduling Issues) or Section 11 (Dates for Further Conferences) of Appendix F.
- (4) At the Rule 16 hearing, the parties shall be prepared to address the issues covered by the proposed scheduling order and any other issues enumerated in Fed. R. Civ. P. 16(c).
- (5) No later than **June 30, 2006**, the Plaintiff shall serve a copy of this Order on the Defendants with the Complaint, or without the Complaint if the Complaint has already been served on the Defendants, and file a certificate of service with the Court no later than **July 7, 2006**.

Dated this 16th day of June, 2006

BY THE COURT:

A handwritten signature in black ink, reading "Marcia S. Krieger". The signature is written in a cursive style with a large initial 'M' and a prominent dot over the 'i' in 'Krieger'.

Marcia S. Krieger
United States District Judge