

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
U.S. Magistrate Judge Craig B. Shaffer**

**Civil Action: 06-cv-01726-LTB-CBS
Date: January 10, 2007**

**FTR - Reporter Deck-Courtroom A402
Courtroom Deputy: Ben Van Dyke**

INTERNET ARCHIVE,
a California 501(c)(3) non-profit corporation,

Michael H. Rubin, via telephone
Leonard H. MacPhee

Plaintiff/Counter-Defendant,

v.

SUZANNE SHELL, a Colorado resident,

Pro se, via telephone

Defendant/Counter-Claimant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: RULE 16(b) SCHEDULING CONFERENCE

Court in session: 10:00 a.m.

Court calls case. Appearances of counsel and pro se defendant.

**ORDERED: Defendant Shell's Verified Unopposed Motion to Amend Scheduling Order
[filed January 4, 2007; doc. 30] is denied for the reasons stated on the record.**

Parties have held a Rule 26(f) meeting and Rule 26(a) disclosures have been fulfilled.

**THE FOLLOWING WILL CONFIRM THE ACTIONS TAKEN AND DATES SET AT THE
SCHEDULING CONFERENCE HELD THIS DATE:**

Discovery Cut-off: **August 1, 2007.**

Dispositive Motions deadline: **September 14, 2007.**

Parties shall designate affirmative experts **on or before June 1, 2007.**

Parties shall designate rebuttal experts **on or before July 16, 2007.**

Each side shall be limited to five (5) expert witnesses, absent leave of court.

Interrogatories, Requests for Production of Documents, and Requests for Admissions shall be served **on or before June 27, 2007.**

Counsel may not file any OPPOSED discovery motions without leave of court. Counsel are instructed that should a discovery dispute arise they are to comply with Local Rule 7.1A. in an effort to resolve the issues. If that is unsuccessful, counsel shall establish a conference call adding Magistrate Judge Shaffer as the last connection. The Court will hear arguments and attempt to mediate a resolution. The Court will instruct counsel at that time as to whether or not to file a discovery motion.

SETTLEMENT CONFERENCE is set for **March 23, 2007 at 1:30 p.m.**

Attorney(s) and Client(s)/Client Representative(s), including an adjustor if an insurance company is involved, with full settlement authority **are to be present in person** for the Settlement Conference.

Each party shall submit an Updated Confidential Settlement Statement to Magistrate Judge Shaffer **on or before March 16, 2007** outlining the facts and issues in the case and the party's settlement position. In addition, each party shall disclose what it is willing to offer or accept in settlement.

The brief Updated Settlement Statements (15 pages or less) shall be sent via e-mail in a PDF format to [Shaffer Chambers@cod.uscourts.gov](mailto:Shaffer_Chambers@cod.uscourts.gov) All additional settlement material (*i.e.* deposition transcripts, documents) shall be submitted to the court as hard copies. Counsel shall indicate in their e-mail if they are submitting additional information for the Court to read. Any additional material shall be delivered to the Office of the Clerk of the Court in an envelope marked "PERSONAL PER MAGISTRATE JUDGE SHAFFER'S INSTRUCTIONS."

FINAL PRETRIAL CONFERENCE is set for **January 8, 2008 at 9:15 a.m.**

Final Pretrial Order is due **no later than FIVE DAYS before the Final Pretrial Conference.** (See the court's website for Instructions for Preparation and Submission)

! Scheduling Order is signed and entered with interlineations.

HEARING CONCLUDED.

Court in recess: 11:12 a.m.

Total time in court: 01:12