

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Phillip S. Figa

Civil Action No. 07-cv-00089-PSF-CBS

BEELER PROPERTIES LLC, a Colorado limited liability company;
LAMBERTSON HOMES LLC, a Colorado limited liability company;
MEMPHIS STREET LLC, a Colorado limited liability company; and
1225 PARTNERS, LLLP, a Colorado limited liability partnership,

Plaintiffs,

v.

LOWE ENTERPRISES RESIDENTIAL INVESTORS LLC,
a Delaware limited liability company;
METROPOLITAN HOMES, INC., a Colorado corporation;
PAUL LUCATUORTO, in his individual capacity; and
JEANNIE G. REESER, in her capacity as Public Trustee for Adams County, Colorado,

Defendants.

ORDER SETTING RULE 16 PRETRIAL SCHEDULING CONFERENCE

THIS MATTER comes before the Court pursuant to F.R.Civ.P. 16 and
D.C.COLO.LCivR 16.1 for the setting of a pretrial scheduling conference. IT IS
HEREBY ORDERED that the parties shall appear on **Tuesday, February 13, 2007**
at 8:30 a.m., in Courtroom A602 of the U.S. District Court for the District of Colorado,
Sixth Floor, of the Alfred A. Arraj U.S. Courthouse, 901 19th Street, Denver, Colorado.

It is,

FURTHER ORDERED that, because this scheduling conference may be set
before the defendant has been served or has appeared in the case, counsel for the

plaintiff is responsible for notifying the defendant of the setting of the first Rule 16(b) Conference. If plaintiff's counsel is unable to notify the defendant, then plaintiff's counsel shall so notify the Court, at least five (5) business days prior to the scheduled Rule 16(b) Conference, so that the conference can be rescheduled. Counsel shall comply with the Instructions for Preparation of Scheduling Order (see Appendix F of the Local Rules of Practice in the United States District Court for the District of Colorado). Copies of the Local Rules are available under the "Local Rules" button at <http://www.cod.uscourts.gov> and from the Clerk of the Court. The Proposed Joint Scheduling Order is due **at least five days before the Scheduling Conference.** If the Scheduling Order is not timely submitted, the conference will be vacated. There will be no exceptions to this policy.

DATED: January 23, 2007

BY THE COURT:

s/ Phillip S. Figa

Phillip S. Figa
United States District Judge