

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-00283-REB-KLM

GERALD CESSAR,

Plaintiff,

v.

COLORADO DEPARTMENT OF CORRECTIONS, a Department of the State of Colorado,
ARISTEDES ZAVARAS, in his official capacity as the Executive Director of the Colorado
Department of Corrections,
RON LEYBA, in his official capacity as the Warden of Arrowhead Correctional Facility, and
JOHN DOES 1-10,

Defendant(s).

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on the parties' **Joint Motion to Amend Scheduling Order** [Docket No. 35; Filed January 12, 2009] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion is **GRANTED**. The Scheduling Order entered on July 7, 2008 [Docket No. 21] is amended to extend the following deadlines:

- Discovery Cutoff **February 25, 2009**
- Dispositive Motions Deadline **March 25, 2009**

IT IS FURTHER **ORDERED** that the Settlement Conference set for February 2, 2009 at 3:30 p.m. is **vacated** and **RESET** to **March 9, 2009 at 9:30 a.m.** in Courtroom C-204, Second Floor, Byron G. Rogers United States Courthouse, 1929 Stout Street, Denver, Colorado.

IT IS FURTHER **ORDERED** that counsel shall have parties present who shall have full authority to negotiate **all** terms and demands presented by the case, and full authority to enter into a settlement agreement, including an adjustor if an insurance company is involved. "Full authority" means that the person who attends the settlement conference has the complete and unfettered capacity and authority to meet all terms or pay all amounts which are demanded or sought by any opposing party in the case without consulting with some other person, committee, or agency.

No party shall be permitted to participate in the settlement conference by telephone,

unless that party has obtained leave of court following the filing of an appropriate motion no later than five (5) business days prior to the settlement conference date.

IT IS FURTHER ORDERED that the parties shall follow Magistrate Judge Mix's Instructions for Preparation of Confidential Settlement Statements, a copy of which is attached.

Parties shall submit their Confidential Settlement Statement on or before **March 2, 2009**. Parties participating in ECF shall e-mail ONLY the Confidential Settlement Statement in PDF format to Mix_Chambers@cod.uscourts.gov. All additional settlement materials (*e.g.*, depositions transcripts, exhibits, etc.) are to be submitted to the court as hard copies. Any additional material shall be delivered to the office of the Clerk of the Court or mailed directly to Magistrate Judge Mix in an envelope marked "Confidential and Private per Magistrate Judge Mix's Order." Parties not participating in ECF shall submit all materials as hard copies.

Anyone seeking entry into the Alfred A. Arraj United States Courthouse or the Byron Rogers United States Courthouse will be required to show valid photo identification. See D.C.COLO.LCivR 83.2B.

Dated: January 13, 2009