

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-00752-REB-MJW

DENNIS MARLOW,

Plaintiff,

v.

ALLIANZ LIFE INSURANCE COMPANY, et al.,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that the Pro Se Plaintiff's Motion to Vacate all Deadlines Set Forth in the Scheduling Order and to Postpone Resetting Deadlines Until After the Court's Resolution of Defendant's Motion to Dismiss and Plaintiff's Retention of New Counsel (docket no. 74) is DENIED. The Rule 16 Scheduling Conference was held before Magistrate Judge Watanabe on September 2, 2008. Magistrate Judge Watanabe entered a Rule 16 Scheduling Order on September 2, 2008, and ordered the parties to complete discovery by June 30, 2009. See docket no. 55. On October 22, 2008, this case was reassigned from Judge Blackburn to Judge Arguello. See docket no. 65. On March 3, 2009, Judge Arguello allowed Plaintiff's counsel, R. Craig Zafits, to withdraw as counsel of record for Plaintiff. Plaintiff has had since March 3, 2009, to retain new counsel. Plaintiff has chosen not to retain new legal counsel. Plaintiff has not demonstrated that he cannot complete discovery and meet the deadlines set by the Rule 16 Scheduling Order (docket no. 55). In fact, Plaintiff has done no discovery. I find no basis in law or fact to grant this motion. Moreover, it appears that a person named Kim Russo wrote this motion, and she is not counsel of record for the Plaintiff. In fact, there is no evidence that she is a licensed attorney and admitted to the bar of this court. It appears that Ms. Russo may have "ghost written" the subject motion (docket no. 74) which is prohibited and may be the unauthorized practice of law.

Date: April 29, 2009
