

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 08-cv-00761-WYD-KLM

RICHARD D. KELLAR,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF VETERAN'S AFFAIRS, a federal agency of
United States,

Defendant.

ORDER

THIS MATTER is before the Court on Plaintiff's (Unknown, But Presumed "Opposed") Motion For: An Order Clarifying Orders [Doc. Nos. 201 and 202], filed August 11, 2010, ECF No. 204. Defendant filed a Response on August 12, 2010, ECF No. 205.

As an initial matter, I note that it is not clear whether Plaintiff's counsel has meaningfully complied with D.C.COLO.LCivR 7.1A (Duty to Confer). In any case, upon review of the motion, it appears that Plaintiff's counsel is seeking advice from the Court as to how to try his case. My role in this case, as it is in all cases, is to remain impartial and make decisions based solely on pertinent legal authorities including, without limitation, case law, controlling statutes, the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the local District Court Rules for the District of Colorado, and my practice standards. It would be inappropriate for me to give the type of

guidance Plaintiff's counsel seeks in his motion. To the extent Plaintiff's counsel remains unclear about the Court's prior orders and how the trial should proceed he may raise all such appropriate issues in open Court, prior to the beginning of trial.

Therefore, it is hereby

ORDERED that Plaintiff's (Unknown, But Presumed "Opposed") Motion For: An Order Clarifying Orders [Doc. Nos. 201 and 202], filed August 11, 2010, ECF No. 204 is **DENIED.**

Dated: August 12, 2010

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
U. S. District Judge