

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

Civil Action No. 08-cv-01236-CBS-BNB
Consolidated with Civil Action No. 09-cv-00346-CBS-BNB

ACE AMERICAN INSURANCE CORPORATION, a Pennsylvania corporation,
INDEMNITY INSURANCE COMPANY OF NORTH AMERICA, a Pennsylvania corporation,
NATIONAL SURETY CORPORATION, an Illinois corporation, and
THE AMERICAN INSURANCE COMPANY, an Ohio corporation,
Plaintiffs,

v.

AURORA DAIRY CORPORATION d/b/a AURORA ORGANIC DAIRY, a Delaware corporation,
Defendant.

AURORA DAIRY CORPORATION d/b/a AURORA ORGANIC DAIRY, a Delaware corporation,
Counterclaim Plaintiff and Third Party Plaintiff,

v.

ACE AMERICAN INSURANCE CORPORATION, a Pennsylvania corporation,
INDEMNITY INSURANCE COMPANY OF NORTH AMERICA, a Pennsylvania corporation,
NATIONAL SURETY CORPORATION, an Illinois corporation, and
THE AMERICAN INSURANCE COMPANY, an Ohio corporation,
Counterclaim Defendants,

and

GENERAL FIRE & CASUALTY COMPANY n/k/a AMERICAN FARMERS & RANCHERS MUTUAL
INSURANCE COMPANY, an Oklahoma corporation,
Third-Party Defendants.

GENERAL FIRE & CASUALTY COMPANY n/k/a AMERICAN FARMERS & RANCHERS MUTUAL
INSURANCE COMPANY, an Oklahoma corporation,
Third-Party Counterclaim Plaintiff,

v.

AURORA DAIRY CORPORATION d/b/a AURORA ORGANIC DAIRY, a Delaware corporation,
Third-Party Counterclaim Defendant.

Civil Action No. 09-cv-00346-CBS-BNB

AURORA DAIRY CORPORATION d/b/a AURORA ORGANIC DAIRY, a Delaware corporation,
Plaintiff,

v.

NATIONWIDE AGRIBUSINESS INSURANCE COMPANY, an Iowa corporation,
Defendant.

ORDER RESETTING RULE 16(b) SCHEDULING CONFERENCE

Upon the unopposed telephone request of counsel for Defendant Aurora Organic Dairy Corporation, IT IS HEREBY ORDERED that the Scheduling Conference set for May 19, 2011 is vacated and RESET for **May 23, 2011 at 8:30 a.m. (Mountain Time)** in Courtroom A-402, Fourth Floor, of the Alfred A. Arraj U.S. Courthouse, 901 19th Street, Denver, Colorado. **Please remember that anyone seeking entry into the Alfred A. Arraj United States Courthouse will be required to show valid photo identification. See D.C.COLO.LCivR 83.2B.**

A copy of instructions for the preparation of a scheduling order and a form scheduling order can be downloaded from the “Forms” section on the Court’s website (<http://www.cod.uscourts.gov/Forms.aspx>) under the heading “Standardized Order Forms.”

In accordance with D.C. COLO. ECF. PROC. 5.12, the parties shall file their proposed scheduling order and also email an editable version to Shaffer_Chambers@cod.uscourts.gov on or before:

**5:00 p.m. (Mountain Time) on
May 18, 2011**

In those cases in which: (i) the parties’ substantive allegations involve extensive computer-generated records; (ii) a substantial amount of disclosure or discovery will involve information or records in electronic form (*i.e.*, e-mail, word processing, databases); (iii) expert witnesses will develop testimony based in large part on computer data and/or modeling; or (iv) any party plans to present a substantial amount of evidence in digital form at trial, the parties shall confer regarding steps they can take to preserve computer records and data, facilitate computer-based discovery and who will pay costs, resolve privilege issues, limit discovery costs and delay, and avoid discovery disputes relating to electronic discovery. The parties shall be prepared to discuss these issues, as appropriate, in the proposed Scheduling Order.

(2) The parties shall comply with the mandatory disclosure requirements of FED.R.CIV.P. 26(a)(1) on or before:

May 18, 2011

Counsel and parties are reminded that mandatory disclosure requirements encompass computer-based evidence which may be used to support claims or defenses. Mandatory disclosures must be supplemented by the parties consistent with the requirements of FED.R.CIV.P. 26(e). Mandatory disclosures and supplementation are not to be filed with the Clerk of the Court.

(3) All parties are expected to be familiar with the United States District Court for the District of Colorado Local Rules of Practice (D.C.COLOL.CIVR.). Copies are available through the District Court's web site: www.cod.uscourts.gov.

All out-of-state counsel shall comply with D.C.COLOL.CIVR. 83.3 prior to the Scheduling/Planning Conference.

DATED at Denver, Colorado, this 16th day of May, 2011.

BY THE COURT:

s/Craig B. Shaffer _____
Craig B. Shaffer
United States Magistrate Judge