

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

Civil Action No.: 08-cv-01592-PAB-CBS

FTR - Reporter Deck - Courtroom A402

Date: March 9, 2010

Courtroom Deputy: Linda Kahoe

ROBERT LONCAR, *et al.*,

George Maurice Allen

Plaintiffs,

v.

WESTERN PEAK, LLC, *et al.*,

Brian Thomas Moore

CYNTHIA M. PETERS,

James Francis Fosnaught

Defendants.

COURTROOM MINUTES/MINUTE ORDER

HEARING: TELEPHONIC MOTIONS HEARING

Court in session: 8:06 a.m.

Court calls case. Appearances of counsel.

ORDERED: Unopposed Motion to Modify Scheduling Order, doc #[137], is **GRANTED**. **THE COURT DOES NOT INTEND TO GRANT ANY ADDITIONAL EXTENSIONS**. The Scheduling Order is modified as follows:

Discovery cutoff is **SEPTEMBER 3, 2010**

Dispositive Motions are due no later than **OCTOBER 1, 2010**

Affirmative experts must be designated on or before **JULY 2, 2010**

Rebuttal experts must be designated on or before **AUGUST 6, 2010**

Written discovery must be served no later than **JULY 31, 2010**

ORDERED: Western Peak Defendants' Unopposed Motion for Leave to Supplement Pleadings, doc #[139], is **GRANTED**. Any supplemental pleadings must be filed no later than **MARCH 23, 2010**.

Discussion regarding Western Peak's Motion to Compel Responses to Discovery, doc #[133], filed 2/22/2010. The court notes the lack of compliance with the court's Practice Standards.

Discussion regarding discovery disputes.

ORDERED: Plaintiff shall serve discovery responses that comply with Rule 26, Rule 33, Rule 34, and Rule 36 **no later than 5:00 p.m. on MARCH 19, 2010.** If those responses are not served on defense counsel by the close of business on March 19th, defense counsel may pursue sanctions under Rule 37.

ORDERED: Western Peak's Motion to Compel Responses to Discovery, doc #[133], is **DENIED WITHOUT PREJUDICE.**

Discussion and arguments regarding location and dates for depositions.

ORDERED: Counsel shall confer and set firm dates for depositions by the end of this week.

HEARING CONCLUDED.

Court in recess: 8:35 a.m.

Total time in court: 00:29

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