

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable Marcia S. Krieger

Civil Action No. 08-cv-01693-MSK-KLM

MUSE JAMA,  
JOSE ERNESTO IBARRA, and  
DENNIS MICHAEL SMITH,

Plaintiffs,

ANTONIO CARLOS SANCHEZ,

Plaintiff-Intervenor,

v.

CITY AND COUNTY OF DENVER,  
KURT PETERSON, an officer with the Denver Police Department, in his individual capacity,  
JOHN BISHOP, an officer with the Denver Police Department, in his individual capacity,  
ALAN SIRHAL, a Denver Sheriff Department deputy, in his individual capacity, and  
PAUL ORTEGA, a sergeant with the Denver Sheriff Department, in his individual capacity,

Defendants.

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**ORDER GRANTING IN PART MOTION FOR RELIEF AND  
SETTING RULE 702 HEARING**

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**THIS MATTER** comes before the Court on the Defendants' Motion for Relief from Procedure for 702 Motion (**#394**), to which the Plaintiffs responded (**#397**). The Court has considered the same and **FINDS** and **CONCLUDES** the following.

Given the parties' briefing, it is apparent that the parties are unable to comply with the 702 procedures specified in the Court's practice standards. Accordingly, the Court shall schedule a Rule 702 hearing without submission of a joint 702 motion.

**IT IS THEREFORE ORDERED** that

(1) The Defendants' Motion is **GRANTED IN PART**.

- (2) A 6-hour 702 hearing is set for July 22, 2010, beginning at 9:00 a.m. to address the Defendant's objections under Fed. R. Evid. 702 to the opinions identified in the Plaintiffs' Statement of Steve Rothlein's Opinions (**#391**). At the hearing, each side shall have 3 hours to present evidence (direct examination, cross examination, and re-direct examination) and any argument. No exhibits attached to the parties filings (for example, at **#391** and **#394-2**) will be considered simply because they are attached or referenced in the filings.
- (3) On or before July 12, 2010, the parties may each submit a written brief not to exceed 10-pages in length.<sup>1</sup>

Dated this 18th day of June, 2010

**BY THE COURT:**

A handwritten signature in black ink that reads "Marcia S. Krieger". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Marcia S. Krieger  
United States District Judge

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<sup>1</sup> The parties are reminded that they need to comply with the formatting requirements, including font size, articulated in the Local Rules of Practice for the District of Colorado.