

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

**Civil Action No.: 08-cv-01968-PAB-CBS**  
**Date: June 2, 2009**

**FTR - Reporter Deck - Courtroom A402**  
**Courtroom Deputy: Linda Kahoe**

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SAMUEL BEECHER,

Scott Leonard Evans

Plaintiff,

v.

GREELEY, TOWN OF, *et al.*,

Stacey L. Aurzada

RYAN TEMPLEMAN,

Sarah Elizabeth McCutcheon  
Stacey L. Aurzada

Defendant.

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**COURTROOM MINUTES/MINUTE ORDER**

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**HEARING: TELEPHONIC STATUS CONFERENCE**

**Court in session: 10:48 a.m.**

Court calls case. Appearances of counsel.

Discussion regarding status of case.

Defendants state objections to Plaintiff's Second Motion for Leave to Amend Complaint (doc #37, filed 5/26/2009).

For reasons as stated on the record, it is

**ORDERED:** Plaintiff's Second Motion for Leave to Amend Complaint (doc #37, filed 5/26/2009) is **GRANTED**. Plaintiff's First Amended Complaint (doc #37-2) is deemed filed as of today's date.

Defense counsel make an oral motion to withdraw Defendants' Motion to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(1), 12(b)(6) and Qualified Immunity (doc #2, filed 10/15/2008). Plaintiff states no objection.

**ORDERED:** Defendants' Motion to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(1), 12(b)(6) and Qualified Immunity (doc #2, filed 10/15/2008) is **WITHDRAWN without prejudice.**

Discussion regarding Defendants' May 22<sup>nd</sup> discovery requests.

**ORDERED:** Plaintiff shall serve complete, comprehensive, and signed discovery responses, consistent with Rule 26(b)(1), Rule 33 and Rule 34, no later than June 8, 2009.

**ORDERED:** Settlement Conference is set for June 16, 2009 at 10:30 a.m. Updated settlement statements are due no later than June 11, 2009.

HEARING CONCLUDED.

**Court in recess: 11:26 a.m.**

Total time in court: 00:38

To order transcripts of hearings with Magistrate Judge Shaffer, please contact Avery Woods Reporting at (303) 825-6119 or toll free at 1-800-962-3345.