

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe**

Civil Action No. 08-cv-02006-MSK-MJW	FTR - Courtroom A-502
Date: February 18, 2010	Courtroom Deputy, Ellen E. Miller
AHMED MOHAMMED AJAJ, #40637-053 Plaintiff(s),	Pro Se (by telephone)
v.	
FEDERAL BUREAU OF PRISONS, et al, Defendant(s).	Amy L. Padden

COURTROOM MINUTES / MINUTE ORDER

HEARING: STATUS CONFERENCE / SHOW CAUSE HEARING

Court in Session: 9:03 a.m.

Court calls case. Appearances of *Pro Se* plaintiff and defense counsel.

Status of service on named defendants Sara Revell, Dr. Steven Nafziger, and Melvin Dunlap is discussed.

It was reported by the U.S. Marshal's office that the court order and documents were delivered to the Butner facility on February 11, 2010, for service on Sara Revell.

A Waiver of Service was signed by Steven Nafziger on February 16, 2010, and filed.

Defense counsel believes a current address is available for Melvin Dunlap and she will send a letter to him regarding possible waiver of service.

It is ORDERED: The ORDER TO SHOW CAUSE is deemed satisfied as to Sara Revell and Steven Nafziger and is therefore vacated. The Court will issue a written recommendation that Melvin Dunlap be dismissed.

Plaintiff has filed a Motion to file a Third Amended Complaint.

Ms. Padden notes she mailed a copy of plaintiff's Second Amended Complaint to the plaintiff as he did not believe he had a copy readily available.

It is ORDERED: Defendants shall have to and including **MARCH 02, 2010** within which to respond to the Plaintiff's MOTION TO FILE THIRD AMENDED COMPLAINT PURSUANT TO FED. R. CIV. P. 15 AND 21 [Docket No. **137**, Filed February 16, 2010].

Defendants are not required to answer or respond to any amended complaints until a ruling on the motion to file a Third Amended Complaint is entered, and if a Third Amended Complaint is entered defendants shall have the allowed response time.

It is ORDERED: Plaintiff shall have to and including **MARCH 19, 2010** to file his THIRD AMENDED COMPLAINT.

Discussion is held regarding Plaintiff's motions Docket Numbers 130, 131, and 132 and Defendants' responses in Docket Number 141.

It is ORDERED: Plaintiff's MOTION TO STAY THE DEADLINE FOR FILING CERTIFICATE OF REVIEW FOR PLAINTIFF'S MEDICAL CLAIMS DUE TO CIRCUMSTANCES BEYOND HIS CONTROL [Docket No. **130**, Filed February 12, 2010] is **GRANTED** for reasons as set forth on the record.

It is ORDERED: Plaintiff's MOTION TO STAY THE DISCOVERY UNTIL HE FILES HIS THIRD AMEDED [sic] COMPLAINT AND UNTIL THE BOP RELEASE [sic] TO HIM HIS LEGAL MATERIALS AND ALLOWS HIM TO GATHER EVIDENCE AND DECLARATIONS [Docket No. **131**, Filed February 12, 2010] is **GRANTED** for reasons as set forth on the record. Discovery is stayed until further order of the Court.

It is ORDERED: Plaintiff's SECOND MOTION TO ALLOW SERVICE OF DEFENDANTS THROUGH THE COURT'S ELECTRONIC CASE FILING (ECF) AND TO RELIEVE PLAINTIFF FROM OBLIGATION OF SERVING DEFENSE COUNSEL WITH HIS PLEADINGS AND CORRESPONDENCE WITH THE COURT. SEE, E.G., AJAJ V. COMMUNICATIONS DATA SERVICES, ET AL., 4:07-CV-00478-REL-RAW, (DKT DOCUMENT NO. 52, U.S. DISTRICT COURT FOR SOUTHERN DISTRICT OF IOWA) [Docket No. **132**, Filed February 12, 2010] is **GRANTED** for reasons as set forth on the record. Plaintiff therefore need not send copies of his filings to defense counsel as she will receive all filings through CM/ECF Notices of Electronic Filing.

It is ORDERED: A **RULE 16(b) SCHEDULING CONFERENCE** is set **APRIL 20, 2010 at 2:00 p.m.** (Mountain Standard Time) in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado 80294. Plaintiff shall appear by telephone by calling (303) 884-2403 at the scheduled time.

Parties shall file their joint Proposed Scheduling Order **on or before APRIL 15, 2010.**

Hearing concluded. **Court in recess:** 9:33 a.m. Total In-Court Time 00:30