

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

Civil Action No.: 08-cv-02240-WYD-CBS

FTR - Reporter Deck - Courtroom A402

Date: September 15, 2009

Courtroom Deputy: Linda Kahoe

CREEKSIDE TOWNHOMES HOMEOWNERS
ASSOCIATION, INC.,

Samuel G. Livingston

Plaintiff,

v.

TRAVELERS CASUALTY SURETY COMPANY,

Amy M. Samberg

Scott C. Sandberg

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in session: 1:24 p.m.

Court calls case. Appearances of counsel.

Discussion and arguments regarding pending motions: documents #35, #37, and #88.

For the reasons as stated on the record, it is:

ORDERED: Plaintiff's Motion to Submit Supplemental Documentation Surrounding Travelers Request for Physical Inspection (doc #[88], filed 9/11/2009) is **STRIKEN** as it does not comply with the court's local rules.

ORDERED: Defendant's Motion to Permit Entry Onto Land and Property Possessed or Controlled by Plaintiff (doc #[35], filed 5/29/2009) is **GRANTED**. Defendants must advise Plaintiff's counsel, within ten calendar days of the inspection, as to who the inspector is going to be. Plaintiffs may have a representative present on the roof to supervise the inspection.

ORDERED: Plaintiff's Motion to Assert Punitive Damages Pursuant to C.R.S. 13-21-102(1.5)(a) (doc #[37], filed 6/1/2009) is **GRANTED**. Plaintiff is allowed to assert a request for punitive damages. Plaintiff shall file an Amended Complaint on or before **SEPTEMBER 18, 2009**.

Discussion regarding extending the dispositive motion deadline and the need to reopen discovery.

ORDERED: The parties shall submit written status reports by 5:00 p.m. on SEPTEMBER 23, 2009. The reports shall discuss: (1) any outstanding discovery that has not been completed; (2) identify any discovery disputes; (3) identify what additional discovery is needed.

ORDERED: A Scheduling/Status Conference is set for SEPTEMBER 29, 2009 at 8:30 a.m. The court will set appropriate deadlines.

ORDERED: The Pretrial Conference set for OCTOBER 15, 2009 at 10:00 a.m. is VACATED and rescheduled for NOVEMBER 20, 2009 at 9:15 a.m.

HEARING CONCLUDED.

Court in recess: 2:58 p.m.

Total time in court: 01:34

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