

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 08-cv-02650-PAB-BNB

JASON FOWLER,

Plaintiff,

v.

UNITED STATES OF AMERICA, and  
SEAN GARRICK,

Defendants.

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**ORDER**

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This matter arises on the **Unopposed Motion to Vacate Expert Disclosure Deadlines** [Doc. # 22, filed 4/24/2009] (the “Motion”). The parties request that the deadline for designating expert witnesses be postponed indefinitely until the district judge can rule on a yet-to-be-filed motion to dismiss by the United States based on the United States’ position that Mr. Garrick was not acting within the scope of his federal employment when the accident occurred.

In calendar year 2007, the average time for the determination of a dispositive motion in this district was 6.7 months. Delaying the case while the United States’ anticipated motion is decided will unreasonably delay the final determination of the case.

IT IS ORDERED that the Motion is DENIED.

Dated April 27, 2009.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge