

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 08-cv-02797-RPM

MARY MARQUEZ,

Plaintiff,

v.

METROPOLITAN LIFE INSURANCE COMPANY and
WELLS FARGO DISABILITY PLAN,

Defendants.

ORDER TO DESIGNATE LEAD COUNSEL FOR PLAINTIFF

The complaint in this matter was signed by Blair Brininger of Houston, Texas, and filed on December 24, 2008. On May 12, 2009, a "Plaintiff's Designation of Counsel" was filed, signed by Blair Brininger, designating Scott King Field as co-counsel for the plaintiff and indicating that Blair Brininger "will continue as attorney in charge for plaintiff." On April 9, 2009, this Court entered an order setting a scheduling conference for today at 11:00 a.m. The scheduling order submitted has the electronic signature of Scott Field as attorney for the plaintiff. Yesterday, Scott Baker entered an appearance in the Clerk's Office. When this matter was called at the conference, Mr. Baker appeared as the attorney for the plaintiff and Jack Englert appeared for the defendant. The scheduling order that was submitted was not approved because it provided for discovery and there is no indication that any discovery is appropriate in this ERISA case. The Court declined to proceed with the scheduling conference in light of the confusion as to who is lead counsel for the plaintiff. It is the practice of this Court that one attorney shall be designated as lead counsel for each party and that attorney shall be present at all court hearings. It is now

ORDERED that within ten days the plaintiff shall designate lead counsel to comply with this Court's procedures and for management of this case.

DATED May 28th, 2009

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge