

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00019-MSK-MEH

UNITED STATES OF AMERICA,

Plaintiff,

v.

CEMEX, INC.,

Defendant.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on October 28, 2011.

Before the Court is Plaintiff United States' Unopposed Motion for Leave to Take Depositions of Defendant's Surrebuttal (sic) Experts Beyond the Close of Expert Discovery [filed October 27, 2011; docket #161]. Thus far, the Court has granted five extensions of the discovery deadline, and has admonished the parties on multiple occasions that no further extensions would be granted absent a showing of exceptional cause. (*See* dockets ## 114, 123, 134, 150, 152.) Plaintiff argues that further time is necessary to depose Defendant's surrebuttal experts regarding the contents of their surrebuttal reports. In addition to the reasons Plaintiff proffers, the Court notes that briefing on dispositive motions is already underway, and that a trial date has not been set. In consideration of the above, Plaintiff's motion is **granted** for exceptional cause shown. Plaintiff shall complete all depositions of Defendant's surrebuttal experts **on or before December 16, 2011**. All other deadlines remain firmly in effect, and no further extensions of time will be entertained by this Court absent extraordinary circumstances.