

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable Marcia S. Krieger

Civil Action No. 09-cv-00093-MSK-KMT

JENNIFER POLHEMUS,

Plaintiff,

v.

GREAT-WEST LIFE & ANNUITY INSURANCE COMPANY, a Colorado corporation,

Defendant.

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**ORDER SETTING RULE 16 HEARING**

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THIS MATTER comes before the Court upon a Complaint for Declaratory Relief filed by the Plaintiff. In light thereof, a hearing pursuant to Fed. R. Civ. P. 16(b) and D.C.COLO.LCivR 16.1 is necessary. **This is not a scheduling conference; do not submit a proposed scheduling order.**

**IT IS ORDERED:**

- (1) A hearing is set for **March 31, 2009, at 4:00 p.m.** in Courtroom A901 of the United States Courthouse located at 901 19th Street, Denver, Colorado. Counsel shall bring their calendars.
- (2) Prior to the hearing, the parties shall meet and confer about the following issues and be prepared to address them at the hearing:
  - Whether bifurcation is appropriate for determination of the construction and interpretation of the disputed portions of the insurance policy.
  - The stipulated facts which would bear upon the Court's interpretation of the policy provisions.
  - Whether discovery is needed with regard to contract interpretation. (This hearing does not substitute for a scheduling conference before the Magistrate Judge.)
  - Other appropriate issues enumerated in Fed. R. Civ. P. 16(c).
- (3) If the Defendant(s) has/have not been served with the Summons and Complaint, this Order shall be served together with the Summons and Complaint within ten (10) days of the date of this Order.

DATED this 21<sup>st</sup> day of January, 2009.

**BY THE COURT:**

*Marcia S. Krieger*

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Marcia S. Krieger  
United States District Judge