

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00099-PAB-KLM

BIG O TIRES, LLC, a Nevada limited liability company,
f/k/a BIG O TIRES, INC., a Colorado corporation,

Plaintiff,

v.

GASKIN ENTERPRISES, INC., an Oregon corporation, and
DAVID R. GASKIN, an individual,

Defendant(s).

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Motion to Amend Scheduling Order** [Docket No. 80; Filed September 5, 2009] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion is **DENIED without prejudice**. Pursuant to Fed. R. Civ. P. 16(b)(4) and the terms of the Scheduling Order [Docket No. 44], any requests to modify case deadlines must be accompanied by a statement of good cause. A statement that the parties cannot meet the current deadlines, without further explanation, is insufficient to provide good cause to amend the Scheduling Order.

IT IS FURTHER **ORDERED** that the parties shall take note of the Court's new procedure for resolving discovery disputes. **No opposed discovery motions shall be filed with the Court until the parties comply with D.C. Colo. L. Civ. R. 7.1(A). If the parties are unable to reach agreement on a discovery issue after conferring, they shall arrange a conference call with Magistrate Judge Mix to attempt to resolve the issue. Both of these steps must be completed before any future contested discovery motions are filed with the Court. Any discovery motion which is filed without following these prescribed steps will be summarily stricken.**

Dated: October 5, 2009