

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00301-MSK-MEH

BELL COLORADO, LIMITED, a corporation organized under the laws of the Isle of Man,

Plaintiff,

v.

RELATED WESTPAC, LLC, a Delaware limited liability company,  
BRUSH CREEK ESTATES, LLC, a Colorado limited liability company,  
BRUSH CREEK CAPITAL HOLDINGS, a Colorado limited liability company,  
BRUSH CREEK MEZZANINE, LLC, a Delaware limited liability company,  
YORKSHIRE 216 HOLDINGS, L.P., an Arizona limited partnership,  
BASE VILLAGE SNOWMASS CENTER ASSOCIATES, LLC, a Colorado limited liability  
company,  
PATRICK N. SMITH, a resident of the State of Colorado in his individual and representative  
capacities, and  
TOWN OF SNOWMASS VILLAGE, a Colorado municipality,

Defendants.

PATRICK N. SMITH,

Third Party Plaintiff,

v.

GARY GREENBERG,  
JEFFREY SCOTT KLEIN, and  
GARY PINKSTON,

Third Party Defendants.

---

**MINUTE ORDER**

---

**Entered by Michael E. Hegarty, United States Magistrate Judge, on March 17, 2010.**

Plaintiff's Motion to Amend Complaint [filed February 16, 2010; docket #102] is **granted**. The deadline for joinder of parties and amendment of pleadings was set for February 15, 2010, which is a federal holiday, thus the Motion was timely filed on February 16, 2010. (*See* docket #91.) Pursuant to Fed. R. Civ. P. 6 and D.C. Colo. LCivR 5.2 and 7.1C, Defendants could respond to this Motion on or before March 12, 2010. No response was filed, therefore the Court construes the Motion as unopposed. Accordingly, the Clerk of Court is directed to enter the First Amended Complaint located at Docket #102-2.

Plaintiff's Unopposed Motion for Extension of Time to Disclose Expert Report [filed March 12, 2010; docket #110] is **denied without prejudice** for failure to consider the rebuttal expert disclosure deadline.

The Joint Motion to Amend Scheduling Order [filed March 15, 2010; docket #113] is **granted**. The discovery cut-off for both fact and expert discovery is extended up to and including **April 30, 2010**. All other dates and deadlines remain the same. Absent exceptional cause, the Court is not inclined to grant any additional requests for extension of time.