

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.

ALEX PANANIDES,
GARY GREENBERG,
JEFFREY SCOTT KLEIN, and
GARY PINKSTON,

Third Party Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on January 25, 2010.

The Joint Motion to Amend Scheduling Order [filed January 21, 2010; docket #88] is **granted in part and denied in part**. In light of the Final Pretrial Conference set before the District Court on **July 1, 2010**, the Scheduling Order is amended as follows. Absent exceptional cause, the Court is not inclined to grant any additional requests for extensions of time.

8. CASE PLAN AND SCHEDULE

- a. Deadline for Joinder of Parties and Amendment of Pleadings: **February 15, 2010**. Third Party Plaintiff Patrick Smith will serve all Third Party Defendants with the Third Party Complaint by **February 9, 2010**, or he will dismiss Third Party Defendants from the case who have not been served by that date.
- b. Discovery Cut-off (fact and expert): **April 1, 2010**.
- c. Dispositive Motion Deadline: **May 3, 2010**.
- d. Expert Witness Disclosure:

(1) At this time, Plaintiff's anticipated fields of expert testimony include experts on real estate valuation and possibly other real estate matters. At this time, Defendants anticipate an expert, or experts, to rebut Plaintiff's claimed damages and/or valuation.

(2) Limitations proposed in the use or number of expert witnesses: Three per side.

(3) The parties shall designate all experts and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) on or before **March 12, 2010**.

(4) The parties shall designate all rebuttal experts and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) on or before **March 26, 2010**.

(5) Notwithstanding the provisions of Fed. R. Civ. P. 26(a)(2)(B), no exception to the requirements of the rule will be allowed by stipulation of the parties unless stipulation is approved by the Court.