

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00500-MSK-KLM

JOSEPH & PATRICIA KAIL, individually and on behalf of all others similarly situated,

Plaintiff,

v.

WHIRLPOOL CORPORATION,

Defendant(s).

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MINUTE ORDER

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ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

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This matter is before the Court on a **Joint Motion to Modify the Scheduling Order Extending Certain Discovery Deadlines** [Docket No. 34; Filed August 21, 2009] (the "Motion").

IT IS HEREBY ORDERED that the Motion is **GRANTED**. The Scheduling Order deadlines are extended as follows:

Discovery Cut-off	January 15, 2010
Designation of Experts Deadline	November 16, 2009
Designation of Rebuttal Experts Deadline	December 16, 2009
Merits and Class Depositions Deadline	January 15, 2010
Deadline to Serve Interrogatories	December 11, 2009

IT IS FURTHER ORDERED that the Settlement Conference set for September 21, 2009 at 1:30 p.m. is **vacated** and **reset to November 18, 2009 at 1:30 p.m.** in Courtroom C-204, Second Floor, Byron G. Rogers United States Courthouse, 1929 Stout Street, Denver, Colorado.

IT IS FURTHER ORDERED that counsel shall have parties present who shall have full authority to negotiate all terms and demands presented by the case, and full authority to enter into a settlement agreement, including an adjustor if an insurance company is involved. "Full authority" means that the person who attends the settlement conference has the complete and unfettered capacity and authority to meet all terms or pay all amounts which are demanded or sought by any opposing party in the case without consulting with some other person, committee, or agency.

No party shall be permitted to participate in the settlement conference by telephone, unless that party has obtained leave of court following the filing of an appropriate motion no later than five (5) business days prior to the settlement conference date.

**IT IS FURTHER ORDERED that the parties shall follow Magistrate Judge Mix's Instructions for Preparation of Confidential Settlement Statements, a copy of which is attached.**

Parties shall submit their Confidential Settlement Statement on or before **November 11, 2009**. Parties participating in ECF shall e-mail ONLY the Confidential Settlement Statement in PDF format to [Mix\\_Chambers@cod.uscourts.gov](mailto:Mix_Chambers@cod.uscourts.gov). All additional settlement materials (e.g., depositions transcripts, exhibits, etc.) are to be submitted to the court as hard copies. Any additional material shall be delivered to the office of the Clerk of the Court or mailed directly to Magistrate Judge Mix in an envelope marked "Confidential and Private per Magistrate Judge Mix's Order". Parties not participating in ECF shall submit all materials as hard copies.

**No party or attorney may make plans to leave or leave the scheduled settlement conference before 5:30 p.m. without obtaining express permission from the Court in advance. Any party or attorney who schedules travel which requires departure from the settlement conference before 5:30 p.m. WILL BE REQUIRED TO MAKE ALTERNATE PLANS if the case has not settled by the departure time.**

Anyone seeking entry into the Byron G. Rogers United States Courthouse will be required to show valid photo identification. See D.C.COLO.LCivR 83.2B.

Dated: August 25, 2009