

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 09-cv-00711-PAB-BNB

DEBRA KAY DEVOE,

Plaintiff,

v.

MARK BROADDUS, in his individual capacity as Warden,
SUSAN ROBERTS, in her individual capacity as PA/NP/RD,
SERGEANT CHERIE SANCHEZ, in her individual capacity,
SERGEANT TOU LO, in his individual capacity,
PATRICK POLLEY, in his individual capacity,
ABEL RAZO, in his individual capacity,
ROXANNE BARCA, in her individual capacity,
MUSHAFU KUKOYI, in his individual capacity,
DANTE BLANTON, in his individual capacity,
PAMELA DANIELLE, in her individual capacity,
DANIEL SULLIVAN, in her individual capacity,
CHANTAY BANKS, in her individual capacity,
PER DIEM MEDICAL STAFFING, INC.,
DANIEL PETERSEN, R.N., in his individual capacity,
JENNIFER COUNTRYMAN-TRUJILLO, in her individual capacity as RN,
YVETTE MARTINEZ-HOCHBERG, M.D., in her individual capacity as Physician,
SUPPLEMENTAL HEALTH CARE SERVICES LIMITED INC., d/b/a Supplemental Health
Care,

Defendants.

ORDER

This matter arises on the following:

- (1) **Defendant's Motion to Modify the July 14, 2007 Scheduling Order Pursuant to Fed. R. Civ. P. 16(b)(4)** [Doc. # 114, filed 1/19/2010] (the "Motion for Extension");
- (2) **Motion for Plaintiff to Participate In . . . Settlement Conference By Telephone** [Doc. # 120, filed 1/26/2010] (the "Plaintiff's Motion"); and

(3) **Motion for Defendant Per Diem Medical Staffing, Inc. to Participate In . . . Settlement Conference By Telephone** [Doc. # 122, filed 1/28/2010] (“Per Diem’s Motion”).

I held a hearing on the motions this morning and made rulings on the record, which are incorporated here. In summary and for the reasons stated on the record:

IT IS ORDERED that the Motion for Extension [Doc. # 114] is GRANTED, and the case schedule is modified to the following extent:

Discovery Cut-Off: **June 30, 2010**

(All discovery must be completed by the discovery cut-off. All written discovery must be served so that responses are due on or before the discovery cut-off.)

Dispositive Motions Deadline: **June 30, 2010**

Expert Disclosures:

- (a) 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 **April 15, 2010**
- (b) 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 **May 20, 2010**

Final Pretrial Conference: The final pretrial conference set for May 17, 2010, at 8:30 a.m., is VACATED and RESET to **August 30, 2010, at 8:30 a.m.**, in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado. A Final Pretrial Order shall be prepared by the parties and submitted to the court no later than August 23, 2010.

IT IS FURTHER ORDERED that the Plaintiff’s Motion [Doc. # 120] is GRANTED. The plaintiff shall be available by telephone throughout the settlement conference.

IT IS FURTHER ORDERED that Per Diem's Motion [Doc. # 122] is GRANTED. A representative of Per Diem and a representative of its insurance company, if any part of this is an insured event, shall be available by telephone throughout the settlement conference.

IT IS FURTHER ORDERED that **no motion may be filed until the parties have consulted in good faith by telephone, and allowed a reasonable time for a response (at least three business days).**

Dated January 29, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge