

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

Civil Action No. 09-cv-01165-LTB-BNB

STEPHEN LAWSON,

Plaintiff,

v.

WESTERN SKYWAYS, INC.,

Defendant,

v.

ROCKY MOUNTAIN STRAIGHT FLIGHT, INC.,

Third-Party Defendant.

ORDER

This matter arises on the following:

- (1) **Motion for Leave to Conduct Discovery from Third-Party Defendant Rocky Mountain Straight Flight, Inc.**[Doc. # 37, filed 3/2/2010] (the “Motion for Discovery”); and
- (2) **Unopposed Motion By Defendant Western Skyways, Inc. to Extend Deadline for Designation of Experts, Extend the Discovery Cut-Off, Extend the Dispositive Motion Deadline and Postpone the Date of the Settlement Conference** [Doc. # 42, filed 3/9/2010] (the “Motion to Extend”).

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 Discovery [Doc. # 37] is GRANTED.

IT IS FURTHER ORDERED that the Motion to Extend [Doc. # 42] is GRANTED. The case schedule is modified to the following extent:

(1) Western Skyways and Rocky Mountain Straight Flight shall make their Rule 26(a)(1) disclosures on or before **April 9, 2010**.

(2) Rocky Mountain Straight Flight shall designate non-parties at fault pursuant to section 13-21-111.5, C.R.S., on or before **April 9, 2010**.

(3) Discovery Cut-Off: **August 5, 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.

(4) Discovery Limitations:

(a) Each separately represented party may take no more than ten depositions, plus the depositions of any specially retained experts designated pursuant to the scheduling order.

(b) No deposition may exceed seven hours.

(c) Each separately represented party may serve no more than 25 interrogatories, 35 requests for production of documents, and 25 requests for admissions, including discrete subparts.

(5) Dispositive Motions Deadline: **September 6, 2010**.

(6) Expert Disclosures: Each separately represented party may designate no more than seven specially retained expert witnesses.

(a) Western Skyways shall designate all experts on matters where it bears the burden of proof and all experts in rebuttal to the plaintiff's experts and provide opposing counsel with all

information specified in Fed. R. Civ. P. 26(a)(2) on or before **June 4, 2010**.

(b) Rocky Mountain Straight Flight shall designate all experts on matters where it bears the burden of proof and all experts in rebuttal to the plaintiff's experts and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) on or before **June 4, 2010**.

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

(d) Rocky Mountain Straight Flight shall designate all experts in rebuttal to Western Skyways experts and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) on or before **July 12, 2010**.

(7) Settlement Conference:

(a) The settlement conference set for March 30, 2010, at 1:30 p.m., is VACATED and RESET to **June 2, 2010, at 1:30 p.m.**, in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado. All settlement conferences that take place before the magistrate judge shall be confidential. *Pro se* parties, attorneys, and client representatives with full authority to settle the case must be present at the settlement conference in person. (NOTE: This requirement is not fulfilled by the presence of counsel alone. If an insurance company is involved, an adjustor authorized to enter into settlement must also be present.)

(b) Each party shall submit a confidential settlement statement to the magistrate judge on or before **May 26, 2010**, outlining the facts and issues in the case and containing a specific offer of compromise, including a dollar amount the client will accept or pay in settlement and any other essential terms of a settlement.

(8) Final Pretrial Conference: The final pretrial conference set for August 3, 2010, at 9:30 a.m., is VACATED and RESET to **November 5, 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 **October 29, 2010.**

Dated March 15, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge