

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01189-WDM-KLM

GERALD SCHLENKER,

Plaintiff,

v.

CITY OF ARVADA, COLORADO,
PRIDEMARK PARAMEDIC SERVICES,
ST. ANTHONY'S NORTH HOSPITAL,
CHARLES J. HUMPHREY, in his individual capacity,
JOSEPH HERTEL, in his individual capacity,
JEFFREY ORNDOFF, in his individual capacity,
KELLY SHEEHAN, in his individual capacity,
EAMMON DOLAN, Pridemark Paramedic,
BEN STONE, Pridemark Paramedic,
LISA B. PATEL, M.D., St. Anthony's North Medical Provider,
WILLIAM A. SHARP, M.D., St. Anthony's North Medical Provider,
LORRIE E. GRIFFEY, R.N., St. Anthony's North Medical Provider,
P. TIM DIXON, St. Anthony's North Medical Provider, and
TINA M. BITTERMAN, St. Anthony's North Medical Provider,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on the Defendants' **Motion for Clarification Regarding Appearance at Settlement Conference** [Docket No. 100; Filed November 19, 2009] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion is **GRANTED** and the Scheduling Order is clarified as follows. The Scheduling Order states that *pro se* parties, attorneys, and client representatives with full authority to settle must be present at the Settlement Conference. Those individual defendants who will have present representatives with full authority to settle on their behalf do not have to be present. Accordingly, Defendants Humphrey, Hertel, Orndoff, Sheehan, Dolan, Stone, Griffey, Dixon, and Bitterman are *not* required to be present. According to the Motion, Defendants Patel and Sharp must consent to payment of funds in settlement by their malpractice insurer. Their insurance adjuster

therefore does not have full settlement authority, and the presence of Defendants Patel and Sharp *is required*.

IT IS FURTHER **ORDERED** that Pridemark's insurance adjuster may appear by telephone. The insurance adjuster must be available to receive a telephone call from Pridemark as needed.

Dated: November 23, 2009