Stienmier v. Donley Doc. 40

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01260-KMT-BNB

RICHARD STIENMIER,

Plaintiff,

VS.

DEPARTMENT OF THE AIR FORCE,

Defendant.

ORDER

Pursuant to *Motion to Amend Scheduling Order* (Document # 39) and Order from the Bench during the Scheduling Conference on December 14, 2009 (Courtroom Minutes, document #29), it is hereby

ORDERED that the *Motion to Amend Scheduling Order* (Document # 39) is GRANTED, and the following information supplements the *Scheduling Order* (document #30) by adding to § C. <u>Damages</u>:

C. Damages

Date	Description	Amount
1 Feb 08	Last pay day – total of missing pay as of that date	\$5,432.30
	Pay calculation:	
	\$1,046.46 bi-weekly x 26 paydays = annual pay of \$27,467.96	
	\$27,467.96 / 365 = \$75.25 daily pay	

17 Sep 09 Date of Ms. Stienmier's death

Days from last payday to date of death = 594

Pay due: 594 x \$75.25 = \$35,743.75

\$44,689.50

Total Principal Wages owed to Ms. Stienmier (which does not include any benefits paid on Principal Wages)

\$50,130.80

In addition, Ms. Stienmier suffered damages arising out of and related to emotional distress. Plaintiff is in the process of seeking expert opinion to assist in valuing these damages.

Finally, Plaintiff has incurred attorney fees which damages will be sought at trial.

Dated this 12th day of January, 2010.

BY THE COURT:

Kathleen M. Tafoya

United States Magistrate Judge