

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01586-MSK-MJW

SHIELA RASMUSSEN,

Plaintiff(s),

v.

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, et al,

Defendant(s).

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that the Defendant Jeffrey Coates' Motion for Joinder and Request for Leave to Amend Answer to Include Cross-Claims Against the Estate of Melinda Coates (docket no. 11) is GRANTED. The court finds that no responses have been filed by any of the other parties to this lawsuit and accordingly the subject motion (docket no. 11) is deemed confessed. Moreover, the court finds that Defendant Jeffrey Coates has established within the subject motion (docket no. 11) that Estate of Melinda Coates is an indispensable party under Fed R. Civ. P. 19 and should be added as a Co-Defendant in this case.

It is FURTHER ORDERED that the Defendant Jeffrey Coates' Amended Answer to Complaint and Declaratory Judgment, Counterclaims and Cross-Claims [sic](docket no. 11-2) is accepted for filing as of the date of this Minute Order. **The Clerk of Court shall add the Estate of Melinda Coates as a Defendant.**

It is FURTHER ORDERED that the Defendant Jeffrey Coates shall forthwith serve the Estate of Melinda Coates with a copy of Defendant Jeffrey Coates' Amended Answer to Complaint and Declaratory Judgment, Counterclaims and Cross-Claims [sic](docket no. 11-2) and a copy of the Complaint.

It is FURTHER ORDERED that the Defendant Jeffrey Coates shall provide to the Estate of Melinda Coates the new Rule 16 Scheduling Conference date which is November 12, 2009, at 9:30 a.m. The parties shall meet and confer and file their proposed Rule 16 Scheduling Order with the court on or before November 9, 2009.

It is FURTHER ORDERED that the Defendant Jeffrey Coates shall provide to the Estate of Melinda Coates a copy of this Minute Order.

Date: September 3, 2009