

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01839-CMA-KLM

MARY ZAPATA,

Plaintiff,

v.

ER SOLUTIONS, INC.,

Defendant.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff's **Unopposed Motion to Vacate the October 6, 2009 Scheduling Conference and Continue for 45 days** [Docket No. 12; Filed September 29, 2009] ("Motion No. 12") and Plaintiff's **[Second] Request to Appear Telephonically for Scheduling Conference** [Docket No. 13; Filed September 29, 2009] ("Motion No. 13"). The Motions are unopposed. As a preliminary matter, the Court notes that Motion No. 13 still suffers from one of the three deficiencies identified by the Court in my prior Order on the first motion which I denied without prejudice [Docket No. 10]. As the Court previously warned Plaintiff, all requests for relief should be titled as "motions" pursuant to Fed. R. Civ. P. 7(b)(1) and D.C. Colo. L. Civ. R. 7.1. However, given the inconvenience caused to the Court in having to resolve this motion for a third time, I again note the deficiency but do not resolve it against Plaintiff. Instead, Plaintiff is warned that future motions which do not comply will be **denied with prejudice**.

IT IS HEREBY **ORDERED** that Motion No. 12 is **GRANTED**. The Scheduling Conference set for October 6, 2009 at 10:30 a.m. is **vacated** and **RESET** to **November 23, 2009 at 10:30 a.m.** in Courtroom C-204, Second Floor, Byron G. Rogers United States Courthouse, 1929 Stout Street, Denver, Colorado.

IT IS FURTHER **ORDERED** that Motion No. 13 is **GRANTED**. On the time and date of the Scheduling Conference, Plaintiff's counsel shall contact Chambers at **(303) 335-2770** to participate.

IT IS FURTHER **ORDERED** that the parties shall submit their proposed scheduling order, pursuant to District of Colorado Electronic Case Filing ("ECF") Procedures. Deadline for submission of the proposed scheduling order is on or before **November 18, 2009**.

Parties shall submit a brief Confidential Settlement Statement in PDF format to [Mix Chambers@cod.uscourts.gov](mailto:Mix_Chambers@cod.uscourts.gov) on or before **November 18, 2009**. Parties not participating in ECF shall submit their confidential settlement statement, on paper by delivering to the office of the Clerk of the Court or by mailing directly to Magistrate Judge Mix at the Byron G. Rogers U.S. Courthouse. The envelopes shall be marked "Private per Magistrate Judge Mix' Orders."

Anyone seeking entry into the Byron G. Rogers United States Courthouse must show valid photo identification. See D.C.COLO.LCivR 83.2(B).

Dated: September 30, 2009