

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe**

Civil Action No. 09-cv-02204-PAB-MJW

FTR - Courtroom A-502

Date: December 18, 2009

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

DAVID LENTON WARD,

Pro Se

Plaintiff(s),

v.

CRAIG HOYER (KUBAT EQUIPMENT AND
SERVICE COMPANY),

Sybil R. Kisken

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: MOTION HEARING

Court in Session: 8:30 a.m.

Court calls case. Appearances of *Pro Se* plaintiff and defense counsel.

Pro Se plaintiff is reminded he is required to comply with all applicable Federal Rules of Civil Procedure (Fed.R.Civ.P.) and the Local Rules of Practice in the United States District Court for the District of Colorado (D.C.COLO.LCivR.).

Discussion is held regarding Defendant's Unopposed Motion for a Status Conference [Docket No. 28, Filed December 11, 2009] and Plaintiff's "Notice of his Objection of Stipulation..." [Docket No. 32, Filed December 14, 2009].

At the Scheduling Conference held December 04, 2009, the parties agreed that CRAIG HOYER would be dismissed as a defendant with prejudice, and KUBAT EQUIPMENT AND SERVICE COMPANY would be the only defendant in this case. The plaintiff is now objecting to the stipulation he entered into.

It is ORDERED: Defendant's UNOPPOSED MOTION FOR A STATUS CONFERENCE [Docket No. 28, Filed December 11, 2009] is **GRANTED** in that the Court is holding this hearing.

It is ORDERED: Plaintiff's MOTION/NOTICE OF HIS OBJECTION TO STIPULATION REGARDING DISMISSAL OF CRAIG HOYER AND SUBSTITUTION OF KUBAT AS THE CORRECT DEFENDANT WITH PREJUDICE (INSTEAD OF WITHOUT PREJUDICE) AND DEFENDANT'S SUBMISSION OF REVISED PROPOSED SCHEDULING ORDER AND PROPOSED

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STIPULATION OF DISMISSAL AND SUBSTITUTION OF DEFENDANT [Docket No. 32, Filed December 14, 2009] is **GRANTED in part** in that the stipulation entered into by the parties at the December 04, 2009 Scheduling Conference having defendant Craig Hoyer dismissed with prejudice and substituting Kubat Equipment and Service Company as the defendant is VACATED. The remainder of the Motion [Docket No. 32] is **DENIED**.

It is ORDERED: Defendant shall submit a Scheduling Order for the Court's signature by **5:00 p.m. DECEMBER 21, 2009.**

Hearing concluded.

Court in recess: 8:47 a.m.

Total In-Court Time 00:17

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