

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02443-PAB-KLM

FLORENCE GENEVA DAVIS,

Plaintiff,

v.

HARTFORD UNDERWRITERS INSURANCE COMPANY,

Defendant(s).

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendant's **Motion to Amend Scheduling Order to Extend Deadline for Rebuttal Rule 26(a)(2) Disclosures by Three Days, to and Including May 14, 2010 and to Extend Discovery Cutoff to June 15, 2010** [Docket No. 17; Filed May 6, 2010] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion is **DENIED without prejudice** due to Defendant's failure to satisfy its duty to confer pursuant to D.C.COLO.LCivR 7.1A. Rule 7.1A. exists to the give the Court an indication of the opposing party's position, thus obviating the need to wait for a response for many types of requests. Contacting a party on the morning of the Motion's filing and waiting until the afternoon to file does not constitute a good faith effort to confer. Parties must allow a reasonable amount of time to satisfy the Rule prior to filing their motions. It is not appropriate to wait until the near expiration of a deadline and to justify a limited attempt to confer on the need to file the motion quickly.

Dated: May 7, 2010