

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02458-WYD-KLM

JIMMIE LOUISE GRAY, individually and as Personal Representative of the Estate of
CHARLES E. GRAY, deceased;
TERESA LEEPER;
DAVID GRAY;
TIM GRAY,

Plaintiffs,

v.

UNIVERSITY OF COLORADO HOSPITAL AUTHORITY, a body corporate and political
subdivision of the State of Colorado;
UNIVERSITY OF COLORADO HOSPITAL;
MARK SPITZ, M.D., in his individual and official capacities;
ARCHANA SHRESTHA, M.D., in her individual and official capacities;
CHRISTY BARBEE-YOUNG, M.D., in her individual and official capacities;
MOLLIE STARTZER, R.N., in her individual and official capacities;
HEATHER HOGUE, R.N., in her individual and official capacities;
SAMANTHA BALLOU, R.N., in her individual and official capacities;
CHRISTY METCALF, R.N., in her individual and official capacities;
KENICHEA NICHOLS, R.N., in her individual and official capacities;
NATALIE ALICE SANMIGUEL, R.N., in her individual and official capacities;
ANNE ZADRAZIL, R.N., in her individual and official capacities;
ROSEMARY KELLY, R.N., in her individual and official capacities;
OKSANA HENN, R.N., in her individual and official capacities;
MELISSA ROBERTS, R.N., in her individual and official capacities;
WENDY TILLMAN, R.N., in her individual and official capacities;
BEVERLY SOLAS-FAJARDO, C.N.A., in her individual and official capacities;
DARCY O'BANION, C.N.A., in her individual and official capacities;
PHOETH MAKIO, C.N.A., in her individual and official capacities;
ELOISE BERG, in her individual and official capacities;
JASON BOOE, in his individual and official capacities;
MARIE ERICKSON, in her individual and official capacities;
JACQUELINE FUNK, in her individual and official capacities;
ANNETTE HILL, in her individual and official capacities;
JESSICA LUETH, in her individual and official capacities;
KATHERYN OZUK, in her individual and official capacities;
JIMMY WALSH, in his individual and official capacities;
TSIGE WASHUN, in his individual and official capacities; and
JOHN AND JANE DOE(S), in their individual and official capacities;

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Plaintiff's [sic] Unopposed Motion to Vacate Scheduling Conference** [Docket No. 4; Filed December 24, 2009] (the "Motion").

This matter is set for a Scheduling Conference on January 5, 2010. Plaintiffs request that the Scheduling Conference be vacated because Defendants have not yet been served or waived service. Pursuant to Fed. R. Civ. P. 4(m), Plaintiffs have until February 16, 2010, in which to serve the Defendants. Plaintiffs report that counsel for Defendant University Hospital has agreed to answer an interrogatory that will enable Plaintiffs to reduce the number of named individual defendants prior to the re-scheduled Scheduling Conference. Plaintiff does not suggest a new date because it is unknown when Defendants will be served and when the parties will successfully reduce the number of individual defendants. Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **GRANTED**. The Scheduling Conference set for January 5, 2010, at 10:00 a.m. is **VACATED**.

IT IS **FURTHER ORDERED** that the Plaintiff shall file a Status Report on or before February 19, 2010, informing the Court of the status of service of process and providing dates for a Scheduling Conference that are agreeable to all remaining parties and their counsel.

Dated: December 29, 2009