

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
U.S. Magistrate Judge Craig B. Shaffer**

**Civil Action: 09-cv-02574-MSK-CBS**  
**Date: August 3, 2010**

**FTR - Reporter Deck-Courtroom A402**  
**Courtroom Deputy: Linda Kahoe**

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WILLIAM MARTIN, *et al.*,  
  
Plaintiff,

Dennis W. Hartley

v.

STAN HILKEY, *et al.*,  
  
Defendant.

Alan N. Hassler

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**COURTROOM MINUTES/MINUTE ORDER**

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**HEARING: RULE 16(b) SCHEDULING CONFERENCE**

**Court in session: 10:47 a.m.**

Court calls case. Appearances of counsel.

**ORDERED:** With the concurrence of counsel, the County Defendants' Motion to Dismiss, doc #[41]; the Motion to Dismiss the "Mesa County Sheriff's Department", doc #[42]; and Mesa County Official Capacity Defendants' Motion to Dismiss, doc #[43] are all **DENIED AS MOOT**. The Motions are directed to the original complaint, which is now superceded by the First Amended Complaint.

Parties have held a Rule 26(f) meeting and Rule 26(a) disclosures have been fulfilled.

**THE FOLLOWING WILL CONFIRM THE ACTIONS TAKEN AND DATES SET AT THE  
SCHEDULING CONFERENCE HELD THIS DATE:**

Deadline for Amendment of pleadings/Joinder of parties: **AUGUST 23, 2010**

Discovery Cut-off: **JANUARY 3, 2011**

Dispositive Motions deadline: **FEBRUARY 14, 2011**

Parties shall designate affirmative experts **on or before NOVEMBER 1, 2010**

Parties shall designate rebuttal experts **on or before NOVEMBER 22, 2010**

Each party shall be limited to **3** expert witnesses, absent leave of court.

Each party shall be limited to **10** depositions, absent leave of court.

Interrogatories, Requests for Production of Documents, and Requests for Admissions shall be served **no later than DECEMBER 1, 2010**.

Counsel may not file any OPPOSED discovery motions without leave of court. Counsel are instructed that should a discovery dispute arise they are to comply with Local Rule 7.1A. in an effort to resolve the issues. If that is unsuccessful, counsel shall establish a conference call adding Magistrate Judge Shaffer as the last connection. The Court will hear arguments and attempt to mediate a resolution. The Court will instruct counsel at that time as to whether or not to file a discovery motion.

**SETTLEMENT CONFERENCE** is set for **OCTOBER 14, 2010 at 1:30 p.m.**

Attorney(s) and Client(s)/Client Representative(s), including an adjustor if an insurance company is involved, with full settlement authority **are to be present in person** for the Settlement Conference.

Each party shall submit an Updated Confidential Settlement Statement to Magistrate Judge Shaffer **on or before OCTOBER 8, 2010** outlining the facts and issues in the case and the party's settlement position. In addition, each party shall disclose what it is willing to offer or accept in settlement.

Parties participating in ECF shall e-mail Confidential Settlement Statements, which are fifteen (15) pages or less including attachments, in PDF format to [Shaffer\\_Chambers@cod.uscourts.gov](mailto:Shaffer_Chambers@cod.uscourts.gov). ALL Confidential Settlement Statements that are over fifteen (15) pages including attachments are to be submitted to the court as hard copies and shall be delivered to the office of the Clerk of the Court in an envelope marked "PRIVATE PER MAGISTRATE JUDGE SHAFFER'S ORDERS."

**TRIAL:**

The parties anticipate a 7 day jury trial.

- Scheduling Order is signed and entered with interlineations.

HEARING CONCLUDED.

**Court in recess: 10:59 a.m.**

Total time in court: 00:12

To order transcripts of hearings with Magistrate Judge Shaffer, please contact Avery Woods Reporting at (303) 825-6119 or toll free at 1-800-962-3345.