

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02977-REB-KLM

IOWA PACIFIC HOLDINGS, LLC,

Plaintiff,

v.

NATIONAL RAILROAD PASSENGER CORPORATION,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Agreed Motion for Entry of Modified Scheduling Order** [Docket No. 70; Filed September 27, 2010] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion is **GRANTED in part and DENIED in part**. The Scheduling Order entered on March 4, 2010 [Docket No. 35] and amended on August 17, 2010 [Docket No. 60], is further modified as proposed by Plaintiff:

- | | | |
|---|-------------------------------------|--------------------------|
| • | Expert Disclosure Deadline | January 11, 2011 |
| • | Nonexpert Discovery Deadline | January 25, 2011 |
| • | Rebuttal Expert Disclosure Deadline | February 9, 2011 |
| • | Expert Discovery Deadline | February 25, 2011 |
| • | Dispositive Motions Deadline | March 11, 2011 |

However, to the extent that Plaintiff requests that the proposed final pretrial order be due on April 15, 2010, the Motion is denied. The Trial Preparation Conference is scheduled in front of Judge Blackburn on April 22, 2011. The proposed final pretrial order is submitted in advance of the Final Pretrial Conference, not the Trial Preparation Conference. Pursuant to Judge Blackburn's preferences, I must conduct the Final Pretrial Conference after the dispositive motions deadline but before his Trial Preparation Conference. Accordingly,

IT IS HEREBY **ORDERED** that the Final Pretrial Conference set for November 8, 2010 at 10:00 a.m. is **vacated** and **RESET to March 30, 2011 at 10:00 a.m.** in Courtroom C-204, Second Floor, Byron G. Rogers United States Courthouse, 1929 Stout Street, Denver, Colorado.

The parties shall submit their proposed final pretrial order, pursuant to District of Colorado Electronic Case Filing ("ECF") Procedures, **no later than March 23, 2011**. The proposed final pretrial order to be submitted to the Magistrate Judge under the ECF Procedures must be submitted in a useable format (i.e., WordPerfect) and shall be emailed to the Magistrate Judge at *Mix_Chambers@cod.uscourts.gov*.

Attorneys and/or pro se parties not participating in ECF shall submit their proposed pretrial order on paper to the Clerk's Office. However, if any party in this case is participating in ECF, it is the responsibility of that party to submit the proposed pretrial order pursuant to the District of Colorado ECF Procedures.

The parties shall prepare the proposed pretrial order in accordance with the form which may be downloaded in richtext format from the forms section of the court's website at www.co.uscourts.gov. Instructions for downloading in richtext format are posted in the forms section of the website.

Please remember that anyone seeking entry into the Byron G. Rogers United States Courthouse will be required to show a valid photo identification. See D.C.COLO.LCivR 83.2B.

Dated: September 27, 2010