

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No.: 10-CV-00365-REB-KLM

RENE GARZA,

Plaintiff,

v.

THE PEP BOYS -MANNY, MOE & JACK OF DELAWARE, INC,

Defendant.

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**AMENDED SCHEDULING ORDER**

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The Scheduling Order is hereby amended as follows:

**4. UNDISPUTED FACTS**

1. Pep Boys mounted four Cornell 1000 p205/75R15 tires on Ramon Garza's vehicle on February 17, 2008.
2. Pep Boys mounted the tires in store #744 located at 7680 Bandera Road, San Antonio, Texas 78238
3. Ramon Garza owned the vehicle on which the tires were mounted.
4. Ramon Garza is plaintiff's brother.
5. Plaintiff underwent a lumbar discectomy at age 18.
6. Plaintiff was born on January 17, 1970.

- 7. Plaintiff resides at 10200 East Dry Creek Road, #1102 Englewood, Colorado 80112.

**6. REPORT OF PRECONFERENCE DISCOVERY AND MEETING UNDER FED.R.CIV.P. 26(f)**

- a. Date of Rule 26(f) meeting.  
July 15, 2010
- b. Names of each participant and party he/she represented.  
Thomas A. Bulger, Esq., Silvern & Bulger, P.C., for Plaintiff;  
Michael P. Curry, Esq., Grund · Dagner, P.C., for Defendant.
- c. Proposed changes, if any, in timing or requirement of disclosures under FED.R.CIV.P. 26(a)(1): None.
- d. Statement as to when Rule 26(a)(1) disclosures were made or will be made.  
  
The parties exchanged Rule 26(a)(1) disclosures, and will supplement these disclosures as necessary.
- e. Statement concerning any agreements to conduct informal discovery, including joint interviews with potential witnesses, exchanges of documents, and joint meetings with clients to discuss settlement. If there is agreement to conduct joint interviews with potential witnesses, list the names of such witnesses and a date and time for the interview which has

been agreed to by the witness, all counsel, and all *pro se* parties.

None at this time.

- f. Statement concerning any other agreements or procedures to reduce discovery and other litigation costs, including the use of a unified exhibit numbering system.

The parties will submit a single, joint list of exhibits listed numerically using the form Honorable Robert E. Blackburn requires. Each party will act in good faith to reduce discovery and litigation costs.

- g. Statement as to whether the parties anticipate that their claims or defenses will involve extensive electronically stored information, or that a substantial amount of disclosure or discovery will involve information or records maintained in electronic form.

The parties do not anticipate that the claims or defenses will involve an extensive amount of electronically stored information, or that a substantial amount of disclosure or discovery will involve information or records maintained in electronic form.

- h. Statement summarizing the parties' discussions regarding the possibilities for promptly settling or resolving the case.

The parties discussed the possibility of settlement, although plaintiff has

yet to set forth a settlement demand. The parties have agreed to participate in a settlement conference with the Court on January 10, 2011.

DATED this 17<sup>th</sup> day of September, 2010.

BY THE COURT:

  
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United States Magistrate Judge

APPROVED:

/s/ Thomas A. Bulger  
Thomas A. Bulger, Esq.  
SILVERN & BULGER, P.C.  
4800 Wadsworth Blvd., Suite 307  
Wheat Ridge, CO 80333  
PH: (303) 292-0044  
FAX: (303) 292-1466

ATTORNEY FOR PLAINTIFF

/s/ Michael P. Curry  
Michael P. Curry, Esq.  
Grund · Dagner, P.C.  
1660 Lincoln Street, Suite 2800  
Denver, CO 80264  
Ph: (303) 830 0770  
Fax: 303 830 2313

ATTORNEY FOR DEFENDANT