

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 10-cv-00455-REB-MJW

TERESA HERNANDEZ,

Plaintiff,

v.

VALLEY VIEW HOSPITAL ASSOCIATION, and  
MORRISON MANAGEMENT SPECIALISTS, INC., d/b/a Morrison Healthcare Food  
Services,

Defendants.

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**ORDER ADOPTING RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE AND SETTING  
TELEPHONIC TRIAL SETTING CONFERENCE**

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**Blackburn, J.**

The matter before me is the magistrate judge's **Recommendation on Defendant Valley View's Motion for Partial Summary Judgment (Docket No. 174)** [#178],<sup>1</sup> filed January 28, 2013. I approve and adopt the unopposed recommendation.

No objection has been filed. Thus, I review the recommendation for plain error only. **See *Morales-Fernandez v. Immigration & Naturalization Service***, 418 F.3d 1116, 1122 (10<sup>th</sup> Cir. 2005). Finding no such error in the magistrate judge's recommended disposition, I find and conclude that the recommendation should be approved and adopted.

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<sup>1</sup> “[#178]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Recommendation on Defendant Valley View's Motion for Partial Summary Judgment (Docket No. 174)** [#178],<sup>2</sup> filed January 28, 2013, is **APPROVED** and **ADOPTED** as an order of this court;

2. That **Defendant Valley View's Motion for Partial Summary Judgment/Brief Regarding Constructive Discharge Issue Pursuant to August 30, 2012 Minute Order (Doc #169)** [#174], filed October 2, 2012, is **DENIED**; and


3. That the court shall conduct a telephonic trial setting conference on **Tuesday, March 5, 2013**, at 10:00 a.m., provided, further

a. that counsel for plaintiff shall arrange, initiate, and coordinate the conference call necessary to facilitate the setting conference; and

b. that representatives (who possess calendaring authority) for all parties shall be on the line prior to contacting the court's Judicial Assistant, Ms. Susan Schmitz, at (303) 335-2350.

Dated February 22, 2013, at Denver, Colorado.

**BY THE COURT:**

  
Robert E. Blackburn  
United States District Judge

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