

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01168-PAB-KLM

GALE L. TAYLOR, and  
DOUGLAS K. WALSCH,

Plaintiffs,

v.

CITY OF LONGMONT, COLORADO,  
OFFICER BRIAN DEAN, in his official capacity, and  
OFFICER SARA AERNE, in her official capacity,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff Gale Taylor's **Motion to Stay** [Docket No. 33; Filed May 16, 2011] (the "Motion"). The Motion contains three distinct requests for relief: (1) an order vacating the deposition of Plaintiff Taylor's expert witness, Dr. Mark Hoskinson, scheduled for May 18, 2011; (2) an order extending the May 31, 2011 deadline for the completion of discovery by ninety days; and (3) an order staying all proceedings in this case until June 15, 2011 to allow Plaintiff Taylor time to retain counsel.

As an initial matter, the Motion does not comply with D.C.COLO.LCivR 7.1A, which provides as follows: "The Court will not consider any motion, other than a motion under Fed. R. Civ. P. 12 or 56, unless counsel for the moving party or a *pro se* party, before filing the motion, has conferred or made reasonable, good faith efforts to confer with opposing counsel or a *pro se* party to resolve the disputed matter. The moving party shall state in the motion, or in a certificate attached to the motion, the specific efforts to comply with this rule." Plaintiff Taylor stated that she corresponded via email with counsel for Defendants on May 16, 2011 before filing the Motion. However, Plaintiff Taylor did not state her efforts to confer with counsel for Plaintiff Walsch to ascertain his position with respect to the requested relief. The Motion is subject to denial on this basis alone. Nevertheless, in the interest of expedience,

**IT IS HEREBY ORDERED** that the Motion is **GRANTED in part** and **DENIED in part**.

IT IS FURTHER ORDERED that the deposition of Dr. Mark Hoskinson set for May 18, 2011 is **vacated**. The parties shall confer and reschedule the deposition for some time **after June 15, 2011**.

IT IS FURTHER ORDERED that all proceedings in this case are **STAYED** until counsel enters an appearance on behalf of Plaintiff Taylor or until **June 15, 2011**, whichever comes first.

IT IS FURTHER ORDERED that this case will not be stayed beyond June 15, 2011 for the purpose of allowing Plaintiff Taylor time to retain counsel. In other words, if Plaintiff does not retain counsel by June 15, 2011, she may either proceed *pro se* or voluntarily dismiss her case pursuant to Fed. R. Civ. P. 41(a).

IT IS FURTHER ORDERED that the deadline for the completion of discovery is extended to **July 15, 2011**.

IT IS FURTHER ORDERED that the deadline for filing dispositive motions is extended to **July 29, 2011**.

IT IS FURTHER ORDERED that the Final Pretrial Conference set for August 8, 2011 at 9:30 a.m. is **vacated** and **RESET to September 19, 2011 at 9:30 a.m.** in Courtroom **C-204** of the Byron G. Rogers United States Courthouse.

IT IS FURTHER ORDERED that the parties shall submit their proposed pretrial order **no later than September 14, 2011**. Parties participating in ECF shall submit their proposed pretrial order pursuant to the District of Colorado ECF Procedures. The proposed pretrial order must be submitted in a useable format (i.e., as a WordPerfect document). Pursuant to the ECF Procedures, the parties shall submit the proposed pretrial order via email to [Mix\\_Chambers@cod.uscourts.gov](mailto:Mix_Chambers@cod.uscourts.gov). Parties not participating in ECF shall submit their proposed pretrial order to the Clerk of the Court as a hard copy. 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 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](http://www.co.uscourts.gov). Instructions for downloading in richtext format are posted in the forms section of the website.**

IT IS FURTHER ORDERED that any future motion that does not comply with D.C.COLO.LCivR 7.1A will be summarily denied without prejudice.

Dated: May 17, 2011