

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01398-PAB-KLM

GENERAL STEEL DOMESTIC SALES, LLC, d/b/a GENERAL STEEL CORPORATION,  
a Colorado limited liability company,

Plaintiff,

v.

ETHAN DANIEL CHUMLEY, individually, and  
ATLANTIC BUILDING SYSTEMS, LLC, a Delaware corporation, d/b/a ARMSTRONG  
STEEL CORPORATION,

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 **Defendants' Motion to Amend the Scheduling Order** [Docket No. 41; Filed December 16, 2010] (the "Motion"). On December 17, 2010, Plaintiff filed a Response [Docket No. 43] in opposition to the Motion. On December 20, 2010, Defendants filed a Reply [Docket No. 44]. Defendants seek to extend the deadlines for the following: designation of expert witness; service of interrogatories and requests for production of documents and admissions; designation of rebuttal experts; completion of discovery; and filing of dispositive motions. Defendants explain that extension of these deadlines is necessary to maintain the order of – and time between – case management events and deadlines that was contemplated in the original Scheduling Order [Docket No. 20].

Pursuant to the original Scheduling Order [#20], a Settlement Conference was set for December 9, 2010. On December 2, 2010, the Court granted Plaintiff's Motion to Reset Settlement Conference [Docket No. 32] and reset the Settlement Conference to February 16, 2011. *Minute Order* [Docket No. 35]. On December 7, 2010, the Court granted Plaintiff's Unopposed Motion to Reschedule the Settlement Conference [Docket No. 37] and reset the Settlement Conference to March 24, 2011. *Minute Order* [Docket No. 39]. Due to Plaintiff's two motions to reschedule, the Settlement Conference is currently set to occur after the deadline for service of interrogatories and requests for production of documents and admissions, which is January 28, 2011, and the deadline for completion of discovery, which is March 1, 2011. *See Scheduling Order* [#20]. This order of events was not originally contemplated by the parties. The Settlement Conference was originally scheduled to occur more than two months before the deadline for the completion of

discovery. *Id.* Defendants' Motion seeks to restore the originally contemplated order of and time between case management events and deadlines.

Plaintiff opposes the Motion and states that "enlarging the case management deadlines will tend to render the upcoming Settlement Conference less substantive than it would be if the parties have to hold to the deadlines now in place." *Response* [#43] at 2. While the Court understands Plaintiff's position, it notes that it was Plaintiff that twice requested rescheduling the Settlement Conference and consequently altered the order of and time between case management events and deadlines in this case. Further, Defendants do not seek to reset the Final Pretrial Conference set for August 1, 2011. Their Motion therefore does not affect the progress of this case toward trial. The Court finds that Defendants have shown good cause for extending certain case management deadlines. Accordingly,

IT IS HEREBY **ORDERED** that the Motion [#41] is **GRANTED**.

IT IS FURTHER **ORDERED** that the Scheduling Order [#20] is amended to reflect the following extended deadlines:

Deadline for designation of expert witnesses: **April 15, 2011**

Deadline for service of interrogatories and requests for production of documents and admissions: **May 2, 2011**

Deadline for designation of rebuttal experts: **May 16, 2011**

Deadline for completion of discovery: **June 1, 2011**

Deadline for filing dispositive motions: **July 1, 2011**

Dated: January 3, 2011