

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE LEWIS T. BABCOCK

Courtroom Deputy: Emily Seamon
Court Reporter: Mary George

Date: April 9, 2013

Civil Case No. 10-cv-01482-LTB-KLM
(Consolidated w/ 11-cv-02321-LTB-KLM)

Counsel:

ONYX PROPERTIES LLC, a Colorado limited liability company,
EMERALD PROPERTIES, LLC, a Colorado limited liability company,
VALLEY BANK AND TRUST, a Colorado State Bank,
PAUL NAFTEL, an individual,
SHAUNA NAFTEL, an individual, and
LOCAL SERVICE CORPORATION, The Estate of Chapter 11 Bankruptcy in re: Simon E. Rodriguez, Trustee,

James Thorburn

Plaintiffs,

v.

BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, in its official capacity,

Josh Marks

Defendant.

COURTROOM MINUTES

HEARING - MOTION AND SCHEDULING

9:09 a.m. Court in Session.

Discussion between the Court and counsel regarding Defendant's Motion for Certification as Final Judgment Pursuant to Fed. R. Civ. P. 54(b).

9:10 a.m. Argument by Mr. Marks.

9:22 a.m. Response by Mr. Thorburn.

Counsel answer questions asked by the Court.

ORDERED: Defendant's Motion for Certification as Final Judgment Pursuant to Fed. R. Civ. P. 54(b) [Doc. No. 103, Filed March 6, 2013] is DENIED.

THE FOLLOWING WILL CONFIRM THE ACTIONS TAKEN AND DATES SET AT THE SCHEDULING CONFERENCE HELD THIS DATE:

Discussion regarding the statement of claims, defenses, and the claims and damages analysis as to the class members in the scheduling order.

Discovery Deadline: **January 17, 2014**

Dispositive Motion Deadline: **February 17, 2014**

Final Pretrial Conference: **May 2, 2014 at 9:00 a.m.**

In addition to filing a PDF copy with the Clerk of the Court, counsel should e-mail the proposed Final Pretrial Order in Word or WordPerfect format to Judge Babcock's chambers' email account at Babcock_Chambers@cod.uscourts.gov **one week prior to the conference.**

Status Conference: **Friday, May 10, 2013 at 9:00 a.m.**

ORDERED: Counsel shall prepare and submit a revised joint scheduling order that incorporates the dates and changes given in court today on or before **April 19, 2013.**

The Court notes that this case has already been referred to Magistrate Judge Mix.

Parties are directed to www.cod.uscourts.gov and shall fully comply with the procedures of the judicial officer assigned to try this case on the merits.

9:55 a.m. Court in Recess.

Hearing concluded.

Time: 00:46