

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02197-REB-MEH

EDRICE E. KELLEY, through her Conservators,
CELIA JUDKINS,
MARIE TAYLOR, and
JOAN SULLIVAN COWAN,

Plaintiffs,

v.

NEAL KELLEY,

Defendant.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on March 10, 2011.

Plaintiff's Unopposed Motion to Change Discovery Deadlines [filed March 10, 2011; docket #28] is **granted**. However, in consideration of the date of the Final Pretrial Conference, the Court emphasizes to the parties that absent exceptional cause, the Court will likely decline to grant any request for further extensions of time. Section Nine of the Scheduling Order is modified as follows:

9.CASE PLAN AND SCHEDULE

- a. Deadline for Joinder of Parties and Amendment of Pleadings: **February 1, 2011.**
- b. Discovery Cut-off: **June 3, 2011.**
- c. Dispositive Motion Deadline: **July 1, 2011.**
- d. Expert Witness Disclosure
 - 1. There is a possibility that expert medical witnesses will be required regarding the competence of Edrice Kelley and her husband over a period of recent years.
 - 2. Limitations which the parties propose on the use or number of expert witnesses. No limitations proposed.
 - 3. The parties shall designate all experts and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) on or before **April 15, 2011.**
 - 4. The parties shall designate all rebuttal experts and provide opposing counsel and any *pro se* party with all information specified in Fed. R. Civ. P. 26(a)(2) on or before **May 16, 2011.**
- e. Identification of Persons to Be Deposed:
 - 1. Plaintiff may depose the following and the parenthetical notation is the approximate length of time for the deposition: Neal Kelley (6 hours), Roger

Kelley (3 hours), Sharon Kelley Graham (2 hours), Shirley Chase (2 hours), William (Bill) Hay (6 hours), Gerald Chapman (4 hours), Peter M. Eggleston (6 hours), Manager of Citizens Bank, Aztec, NM (3 hours), William R. Barkman, D.O., and any others with knowledge identified through discovery.

2. Defendant may depose the following: (1) Celia Judkins, (3 hours); Marie Taylor, (3 hours); (3) Joan Sullivan Cowan, (3 hours); (4) Lori Scott, (3 hours); (5) witnesses to legal instruments that Edrice Kelley executed; (6) witnesses regarding competency of Edrice Kelley; and (7) any witnesses designated by Plaintiff.
- f. Deadline for service of interrogatories: **April 15, 2011.**
 - g. Deadline for service of Requests for Production of Documents: **April 15, 2011.**
Deadline for service of Requests for Admissions: **May 2, 2011.**