

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe**

Civil Action No. 10-cv-02234-RBJ-MJW

FTR - Courtroom A-502

Date: December 20, 2011

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

NATHAN YBANEZ,
#102794

Pro Se (by telephone)

Plaintiff(s),

v.

WARDEN KEVIN MILYARD,
MARY COX-BERGMAN,
STEVEN MAY,
VARIOUS JOHN DOES, and
VARIOUS JANE DOES, all sued in their individual
and official capacities,

Nicole Gellar

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: RULE 16(b) SCHEDULING CONFERENCE

Court in session: 9:30 a.m.

Court calls case. Appearances of *Pro Se* Plaintiff and defense counsel representing the three named defendants.

Discussion is held regarding the identities and service of the VARIOUS JOHN DOES and VARIOUS JANE DOES.

It is ORDERED: A **SHOW CAUSE HEARING** is set **MARCH 19, 2012 at 9:00 a.m.** in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado 80294. Plaintiff shall appear by telephone. A written **ORDER TO SHOW CAUSE** shall issue.

Discussion is held regarding Plaintiff's Notice of Non-Abandonment of Claims and Motion for Status. With no objections,

It is ORDERED: Plaintiff's **NOTICE OF NON-ABANDONMENT OF CLAIMS AND MOTION FOR STATUS** [Docket No. **12**, Filed September 01, 2011] is **GRANTED** for reasons as set forth on the record.

The following will confirm the actions taken and dates set at the scheduling conference held this date:

Plaintiff represents to the Court he mailed his disclosures to defense counsel on December 17, 2011. Parties shall complete their Fed. R. Civ. P. 26(a)(1) disclosures **on or before DECEMBER 23, 2011.**

Joinder of Parties/Amendment to Pleadings: **FEBRUARY 03, 2012**

Discovery Cut-off: **JUNE 15, 2012**

Dispositive Motions Deadline: **JULY 16, 2012**

Based upon statements on the record by Plaintiff and defense counsel, the parties will not use any expert witnesses in this civil action. Therefore, no deadlines for expert designations are set.

Interrogatories, Requests for Production, and Requests for Admissions shall be served on or before **MAY 11, 2012.**

Each side shall be limited to twenty-five (25) Interrogatories. Plaintiff's objections to limitations "per side" as opposed to "per party" are noted and overruled.

Each side shall be limited to twenty-five (25) Requests for Production, and thirty (30) Requests for Admissions, without leave of Court.

Each side shall be limited to five (5) fact depositions. Each deposition shall be limited to one (1) day of a maximum of seven (7) hours, absent leave of Court. All depositions, fact and expert witnesses, shall be completed **no later than JUNE 15, 2012.**

Parties shall use deposition exhibits numbered in consecutive order, not separated as Plaintiff Exhibits or Defendant Exhibits. Parties shall not use any duplicative exhibits.

No **SETTLEMENT CONFERENCE** is set at this time.

A **STATUS CONFERENCE** is set **MARCH 19, 2012 at 9:00 a.m.** in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado 80294. Plaintiff shall appear by telephone. Topics of discussion will include (1) status of discovery (2) timing and need to set a Settlement Conference.

FINAL PRETRIAL CONFERENCE set for **SEPTEMBER 20, 2012 at 9:00 a.m.** in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado 80294.

The proposed final pretrial order shall be filed, and then sent as a Word or WordPerfect attachment to Watanabe_Chambers@cod.uscourts.gov, **on or before SEPTEMBER 17, 2012.** **In the subject line** of the e-mail, counsel shall list the case number, short caption, and "proposed final pretrial order." (See www.cod.uscourts.gov for more information.)

TRIAL: The following are currently set before District Judge R. Brooke Jackson:

Trial Preparation Conference: November 02, 2012 at 1:30 p.m.
Three (3) day trial to a jury: November 26, 2012 at 9:00 a.m.

● Parties are directed to www.cod.uscourts.gov regarding Judicial Officers' Procedures and shall fully comply with the procedures and Practice Standards of the judicial officer assigned to try this case on the merits.

Absent exceptional circumstances, no request for rescheduling any appearance in this court will be entertained unless a written request is made FIVE (5) business days in advance of the date of appearance.

[X] Scheduling Order is signed and entered with interlineations **DECEMBER 20, 2011**

Hearing concluded.

Court in recess: 10:07 a.m.
Total in-court time: 00:37