

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02272-RBJ-KLM

DAVID GASTON,
DAVID SMITH,
MATTHEW DAUGHERTY,
DARWIN L. HARPER,
DANIEL GASTON,
GUILLERMO GRADO,
CHARLES GRIMSLEY,
JARED W. LANGLEY,
KEVIN SMITH,
BRETT CRABB, and
CODY TAGUE, on their behalf and on behalf of those similarly situated,

Plaintiffs,

v.

ENCANA OIL & GAS (USA), INC., a Delaware corporation,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiffs' opposed **Second Motion to Amend Scheduling Order for Additional Time to Disclose Expert Opinion Information** [Docket No. 154; Filed February 13, 2013] (the "Motion"). Expert disclosure by the parties are due by February 19, 2013. *Minute Order* [#146]. Plaintiffs seek an extension of this deadline, but the extension they seek is closely tied to a discovery dispute regarding written discovery. This latter dispute is not yet before the Court, but Plaintiffs assert that they are preparing the undersigned's written discovery dispute chart and will shortly be telephoning the Court with opposing counsel pursuant to the undersigned's discovery dispute procedures. [#128-1].

A request to amend the Scheduling Order is properly brought to the Court's attention by written motion, as Plaintiffs properly did here. However, in this case, the request to extend the expert disclosure deadline is so closely entwined with the dispute over written discovery that the Court finds the two should be considered simultaneously. Accordingly,

IT IS HEREBY **ORDERED** that the Motion [#154] is taken under advisement by the

Court.

IT IS FURTHER **ORDERED** that **on or before February 26, 2013** the parties shall jointly contact the Court via the undersigned's telephonic discovery dispute procedures to resolve the present Motion [#154] and any written discovery dispute that impacts the Motion [#154].

Dated: February 14, 2013