

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
U.S. Magistrate Judge Craig B. Shaffer**

Civil Action: 10-cv-03126-REB-CBS

FTR - Reporter Deck-Courtroom A402

Date: February 8, 2011

Courtroom Deputy: Linda Kahoe

DAVIS & ASSOCIATES, P.C., *et al.*,

Jeremy Andrew Sitcoff

Plaintiff,

v.

WESTCHESTER FIRE INSURANCE COMPANY,

Kevin Scott Taylor

Kyle Paul Seedorf

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: RULE 16(b) SCHEDULING CONFERENCE

Court in session: 9:18 a.m.

Court calls case. Appearances of counsel.

Parties have held a Rule 26(f) meeting and Rule 26(a) disclosures have been fulfilled.

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

Deadline for Amendment of pleadings/Joinder of parties: **MAY 6, 2011**

Discovery Cut-off: **SEPTEMBER 26, 2011**

Dispositive Motions deadline: **OCTOBER 31, 2011**

Parties shall designate affirmative experts **on or before JULY 11, 2011**

Parties shall designate rebuttal experts **on or before AUGUST 22, 2011**

Each party shall be limited to **3** expert witnesses, absent leave of court.

Each party shall be limited to **10** depositions, absent leave of court.

Interrogatories, Requests for Production of Documents, and Requests for Admissions shall be served **no later than THIRTY THREE DAYS** prior to close of discovery.

A SETTLEMENT CONFERENCE is set for Wednesday, MAY 25, 2011 at 8:30 a.m.

Parties shall submit Updated Confidential Settlement Statements **on or before: MAY 16, 2011**

*The settlement statements must describe: (1) what discovery has been done; (2) what information has developed since today's scheduling conference; (3) how that information affects the case assessment; and (4) the strengths and weaknesses of the case based upon what each party knows as of the date of the updated Confidential Settlement Statement. In addition, each party shall indicate a specific dollar amount it is willing to offer or accept in settlement. As a matter of professional courtesy, the parties are **REQUIRED** to respond to a demand or offer of settlement.*

Parties participating in ECF shall e-mail Confidential Settlement Statements, which are fifteen (15) pages or less including attachments, in PDF format to Shaffer_Chambers@cod.uscourts.gov. ALL Confidential Settlement Statements that are over fifteen (15) pages including attachments are to be submitted to the court as hard copies and shall be delivered to the office of the Clerk of the Court in an envelope marked "PRIVATE PER MAGISTRATE JUDGE SHAFFER'S ORDERS."

FINAL PRETRIAL CONFERENCE is set for DECEMBER 8, 2011 at 10:00 a.m.

Final Pretrial Order is due **no later than SEVEN (7) DAYS before the Final Pretrial Conference.** (See the court's website for Instructions for Preparation and Submission)

Counsel may not file any OPPOSED discovery motions without leave of court. Counsel are instructed that should a discovery dispute arise they are to comply with Local Rule 7.1A. in an effort to resolve the issues. If that is unsuccessful, counsel shall establish a conference call adding Magistrate Judge Shaffer as the last connection. The Court will hear arguments and attempt to mediate a resolution. The Court will instruct counsel at that time as to whether or not to file a discovery motion.

TRIAL:

The parties anticipate a 7 day jury trial.

- Scheduling Order is signed and entered with interlineations.

Discussion regarding the Motion for Default Judgment, doc #[10], and the Motion for Remand, doc #[8].

Mr. Sitcoff makes an oral motion to withdraw the Motion for Default.

ORDERED: Plaintiff's oral motion to withdraw the Motion for Default is GRANTED. The Motion for Default, doc #[10] is hereby WITHDRAWN.

HEARING CONCLUDED.

Court in recess: 9:48 a.m.

Total time in court: 00:30

To order transcripts of hearings with Magistrate Judge Shaffer, please contact Avery Woods Reporting at (303) 825-6119 or toll free at 1-800-962-3345.