

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

Civil Action: 11-cv-00372-PAB-CBS
Date: April 30, 2012

FTR - Reporter Deck-Courtroom A402
Courtroom Deputy: Robin Mason

Parties:

DEBORAH MARTINEZ,

Plaintiff,

Counsel:

Cathy L. Cooper

v.

ADAMS COUNTY SCHOOL DISTRICT 14,
et al.,

Defendants.

John D. Keen
Lawrence L. Lee

COURTROOM MINUTES/MINUTE ORDER

HEARING: FINAL PRETRIAL CONFERENCE

Court in Session: 3:54 p.m.

Court calls case. Appearances of counsel.

Counsel review the proposed final pretrial order with the court.

Discussion regarding some issues with the submitted Final Pretrial Order, Judge Brimmer's practice standards, and the Local Rules pertaining to the specific listing of witnesses in the Final Pretrial Order. The court advises that a new Final Pretrial Order will need to be submitted to include more information pertaining to the witnesses. The parties advises that this could be done by May 9, 2012. The court advises the parties that upon receipt and review of the new Final Pretrial Order, the court will sign it without requiring any hearing if there are no further issues. If there are issues the court will set a hearing with the parties to addresses them.

The court addresses the parties regarding the defendant's MOTION to Strike Plaintiff's Second Supplemental Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1) (Docket No. 76, filed on 4/19/2012). The court recognizes that plaintiff's counsel has not yet had a chance to respond to this motion. The court advises that the problem with this motion is that it fails to comply with Local Rule 7.1(a) pertaining to certification.

Discussion regarding Rule 26(a) disclosures, disclosing documents within ones possession in

accordance with Rule 26(a)(1), supplementing disclosures in accordance with Rule 26(e), and failing to comply with disclosure rules (Rule 37(c)).

Mr. Keen addresses the court regarding the Freedom of Information Act and engages in discussion with the court. Mr. Keen advises the court that he would like to withdraw this motion and file a new motion.

The court advises the parties that their Trial is set to begin on **October 29, 2012 at 8:00 a.m.** and that a Trial Preparation Conference is set for **October 12, 2012 at 1:30 p.m.** Discussion regarding Mr. Keen's conflict with the trial dates given. The court advises that the parties put together a conference call to Judge Brimmer's chambers in order to request new dates.

Discussion between the court and Ms. Cooper regarding requests for production already served, interrogatories, Rule 34, and related case law.

ORDERED: The defendant's MOTION to Strike Plaintiff's Second Supplemental Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1) (Docket No. 76, filed on 4/19/2012) is **WITHDRAWN without prejudice.** The parties shall submit a new proposed Final Pretrial Order by **May 9, 2012** which shall include a brief statement as to what each witness plans to say. Parties are to contact Judge Brimmer's chambers to request new trial dates.

HEARING CONCLUDED.

Court in recess: 4:35 p.m.

Total time in court: 00:41

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.