

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior Judge Walker D. Miller

Civil Action No. 11-cv-00412-WDM-MEH

MICHAEL WOOTEN, individually and on behalf of all others similarly situated,

Plaintiff,

v.

EMERGENCY MEDICAL SERVICES CORPORATION,  
CLAYTON, DUBILIER & RICE, LLC,  
GOLDMAN SACHS & CO.,  
MERRILL LYNCH, PIERCE, FENNER & SMITH INC.,  
ONEX CORPORATION,  
WILLIAM A. SANGER,  
ROBERT M. LEBLANC,  
STEVEN B. EPSTEIN,  
PAUL B. IANNINI,  
JAMES T. KELLY,  
MICHAEL L. SMITH,  
KEVIN E. BENSON, and  
LEONARD RIGGS, JR.,

Defendants.

---

**ORDER ON MOTION FOR EXPEDITED PROCEEDINGS**

---

Miller, J.

This matter is before me on the Motion for Expedited Injunction Proceedings and Request for Expedited Ruling, filed March 30, 2011 (ECF No. 24), by plaintiff Michael Wooten. The Emergency Medical Services Corporation defendants<sup>1</sup> filed a response (ECF No. 49), and defendant Merrill Lynch, Pierce, Fenner & Smith, Inc. has moved to join in that

---

<sup>1</sup> The EMS defendants include defendants Emergency Medical Services Corporation, Williams A. Sanger, Robert M. Leblanc, Steven B. Epstein, Paul B. Iannini, James T. Kelly, Michael L. Smith, Kevin E. Benson, and Leonard Riggs, Jr.

response (ECF No. 50).<sup>2</sup> Defendants Clayton, Dubilier & Rice, LLC, and Goldman Sachs & Co. have also filed responses opposing the motion to expedite (ECF Nos. 51, 52).

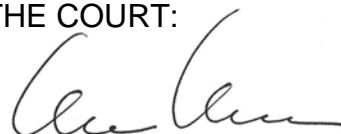
In his motion, Wooten requests that I grant an expedited briefing and hearing schedule, and that I expedite my ruling, for a motion for preliminary injunction that has yet to be filed. Wooten's motion states that he "intends" to file such a motion and asks that I expedite proceedings on the "forthcoming" motion. Because no motion for preliminary injunction has ever been filed, there is nothing to expedite.

Accordingly, it is ORDERED:

1. Plaintiff's Motion for (1) Expedited Injunction Proceedings and (2) Request for Expedited Ruling, filed March 30, 2011 (ECF No. 24), is denied.
2. The Motion to Join the EMS Opposition to the Request for Expedited Proceedings, filed April 20, 2011 (ECF No. 50), is granted.

DATED at Denver, Colorado, on July 11, 2011.

BY THE COURT:



s/ Walker D. Miller  
United States District Judge

---

<sup>2</sup> Merrill Lynch's filing is titled as a motion to join the EMS response ("Motion Joining EMS Defendants' Opposition to Plaintiff's Request for Expedited Proceedings"), but nowhere in the body of the document does Merrill Lynch request leave of court to do so. Nevertheless, I will treat the filing as a motion.