

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

Civil Action No. 11-cv-00783-REB-MJW

FTR - Courtroom A-502

Date: October 27, 2011

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

JUAN RAMON MATTA LOPEZ-BALLESTEROS,

Lawrence E. Besser

Plaintiff(s),

v.

UNITED STATES FEDERAL BUREAU OF
PRISONS,
HARLEY LAPPIN,
Director of the Federal Bureau of Prisons, and
MICHAEL NALLEY,
Regional Director of the BOP for the North Central
Region,

Juan G. Villaseñor

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: TELEPHONIC STATUS CONFERENCE

Court in Session: 9:04 a.m.

Court calls case. Telephonic appearances of counsel.

It is noted during the August 24, 2011 Scheduling Conference, Blake R. Davis was dismissed as a defendant.

The Court raises Plaintiff's Motion for Leave to Amend Complaint [Docket No. 23] and Plaintiff's "Motion" Corrected Amended Complaint for Damages and Injunctive Relief [Docket No. 31] for discussion. Based upon the motion, response, reply, and further input from counsel this morning,

It is ORDERED: Plaintiff's MOTION FOR LEAVE TO AMEND COMPLAINT [Docket No. **23**, Filed August 22, 2011] is **GRANTED** for reasons as set forth on the record.

It is ORDERED: Plaintiff's "MOTION" CORRECTED AMENDED COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF [Docket No. **31**, Filed October 19, 2011] is **GRANTED** in that the motion to amend the complaint is granted, for reasons as set forth on the record. This [Docket No. 31] is not the operative document.

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Telephonic Status Conference
October 27, 2011

The CORRECTED AMENDED COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF [Docket No. **34**, filed October 20, 2011] shall be entered as the operative pleading as of today.

Discussion is held regarding Defendants' Partial Motion to Dismiss [Docket No. 14]. Defendants make an Oral Motion to Withdraw the Partial Motion to Dismiss. With no objection from Plaintiff,

It is ORDERED: Defendants' ORAL MOTION TO WITHDRAW Defendants' Partial Motion to Dismiss is **GRANTED**, therefore, Defendants' PARTIAL MOTION TO DISMISS [Docket No. **14**, Filed July 28, 2011] is **WITHDRAWN**.

No settlement conference is set at this time.

Hearing concluded.

Court in recess: 9:17 a.m.

Total In-Court Time 00:13

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