

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-01396-RBJ-KLM

FEDERAL TRADE COMMISSION and
STATE OF COLORADO, *ex rel.* JOHN W. SUTHERS, ATTORNEY GENERAL,

Plaintiffs,

v.

RUSSELL T. DALBEY,
DEI, LLLP,
DALBEY EDUCATION INSTITUTE, LLC,
IPME, LLLP,
CATHERINE L. DALBEY, and
MARSHA KELLOGG,

Defendants.

SUCCESSFUL LIVING, INC.,

Interested Party.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on the Dalbey Defendants' **Motion to Modify Scheduling Order for Disclosure of Rebuttal Expert Witness Reports** [Docket No. 211; filed August 17, 2012] (the "Opposed Motion") and on the parties' **Joint Motion to Modify Scheduling Order for Disclosure of Rebuttal Expert Witness Reports and to Permit Plaintiffs to Depose Dr. Ravi Dhar After the Discovery Cut-off Date** [Docket No. 215; Filed August 21, 2012] (the "Joint Motion"). On August 17, 2011, the Dalbey Defendants filed the Opposed Motion seeking to extend the Rebuttal Expert Disclosure date from August 20, 2012 to August 29, 2012 due to the death of their expert's mother. On August 21, 2012, they filed a Notice of Withdrawal of the Opposed Motion [#214] in favor of the parties' Joint Motion. The Joint Motion requests that the rebuttal expert deadline for Dr. Ravi Dhar ("Dhar") be extended from August 20, 2012 to August 29, 2012 and that the discovery cut-off date be extended from September 17, 2012 to September 24, 2012, for the sole purpose of taking Dr. Dhar's deposition.

IT IS HEREBY ORDERED that the Opposed Motion [#211] is deemed WITHDRAWN.

IT IS FURTHER **ORDERED** that the Joint Motion [#215] is **GRANTED**. Accordingly,

IT IS FURTHER **ORDERED** that the Rebuttal Expert Disclosure Deadline is extended to **August 29, 2012** for the sole purpose of disclosing Dr. Dhar's expert rebuttal report.

IT IS FURTHER **ORDERED** that the Discovery Deadline is extended to **September 24, 2012** for the sole purpose of deposing of Dr. Dhar.

Dated: August 22, 2012