

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 11-cv-01522-MSK-KMT

TIMOTHY S. TUTTAMORE,

Plaintiff,

v.

DR. ALLRED,  
A. OSAGIE,  
ADX WARDEN DAVIS,  
M. SMITH,  
CURRENT BOP DIRECTOR,  
P. BARELA,  
S. ROGERS,  
Y. FETTERHOFF,  
A. BENNETT,  
S. COLINS,  
D. SEVERN, and  
DR. CHRISTOPHER T. HARRIGAN, all in their official and individual capacities,

Defendants.

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**ORDER SETTING SETTLEMENT CONFERENCE**

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A settlement conference is hereby scheduled in this case for **February 28, 2013** in Courtroom C-201, Second Floor, of the Byron Rogers U.S. Courthouse, 1929 Stout Street, Denver, Colorado. The conference will begin at **1:30 p.m.**

It is hereby ORDERED that the plaintiff shall be made available to participate by telephone in the conference. The correctional facility shall call this court at 303-335-2780 at the appointed date and time. The conference is scheduled for the remainder of the afternoon; therefore, the correctional facility may be required to make the plaintiff available by telephone at later times during the afternoon of the conference, as directed by the court.

Counsel for defendants shall have parties present who shall have full authority to negotiate all terms and demands presented by the case, and full authority to enter into a settlement agreement, including an adjustor if an insurance company is involved. The presence of an insurance adjustor, however, does not excuse the attendance of the party represented.

In order that productive settlement discussions can be held, the parties, including any *pro se* or prisoner parties, shall prepare and submit a Confidential Settlement Statement to Magistrate Judge Tafoya. The Confidential Settlement Statement should contain the following information:

1. A summary of the evidence, including:
  - a. no more than a one page summary of the case and the relief requested by the plaintiff; and
  - b. a *numbered list* of the known significant disputed issues of fact; and
  - c. a *numbered list* of the known significant disputed legal issues.
2. A candid assessment of the case from the presenter's point of view.
3. Remarks toward any perceived weaknesses in the case.
4. An *accurate and complete* history of settlement negotiations, including dates, if known, and amounts of demands and offers.
5. A computation of damages, including the theory of calculation and any legal limitations on damages, and a demand or offer each client will accept or pay in settlement (*including any essential non-economic terms*).
6. Any observations or additional information which would be helpful to Magistrate Judge Tafoya in assisting the parties to negotiate a settlement.

The document may be emailed to Magistrate Judge Tafoya (not submitted for filing to the

court) at *Tafoya\_Chambers@cod.uscourts.gov*, in accordance with the electronic filing procedures of this court or it may be mailed in sufficient time so that it arrives at chambers, 1929 Stout Street, Courtroom 201, Denver, Colorado 80294 by no later than **February 13, 2013**.

Dated this 23rd day of January, 2013.

BY THE COURT:



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Kathleen M Tafoya  
United States Magistrate Judge