

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-01557-PAB-KLM

ENTEK GRB LLC,

Plaintiff,

v.

STULL RANCHES, LLC,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Plaintiff's Motion for Protective Order** [Docket No. 83; Filed October 11, 2011] (the "Motion"). Pursuant to the Scheduling Order [#42] governing this case, the Motion is premature. See *Sched. Order* [#42] at 14 (instructing the parties to pursue a protective order pursuant to the undersigned's discovery procedures); *Id.* at 15-16 (stating the discovery procedures). As explained in the Scheduling Order,

No opposed discovery motions are to be filed with the Court until the parties comply with D.C.COLO.LCivR 7.1A. If the parties are unable to reach agreement on a discovery issue after conferring, they shall arrange a telephone hearing with Magistrate Judge Mix regarding the issue. **Both of these steps must be completed before any contested discovery motions are filed with the Court.**

Sched. Order [#42] at 15-16 (emphasis added).

Plaintiff has not arranged a conference call to set a hearing to resolve the instant discovery dispute. Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **DENIED WITHOUT PREJUDICE**. The deadline for either 1) the filing of a proposed stipulated protective order that is agreed to by the parties for the Court's review, or 2) compliance with the above-stated discovery procedures as related to the dispute at issue is **December 28, 2011**.

IT IS FURTHER **ORDERED** that neither party shall file a contested discovery motion until after (1) unsuccessfully conferring with the other party pursuant to D.C.COLO.LCivR 7.1A., and (2) receiving leave from the Court to file the motion. To inquire about setting a hearing regarding a discovery dispute, the parties shall initiate a conference call and then, once all parties are on the line, dial the Court at **303-335-2770**.

Dated: December 9, 2011