

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

**Civil Action No.** 11-cv-01756-DME-MJW

FTR - Courtroom A-502

**Date:** January 23, 2012

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

MARCUS LELAND FREEMAN,  
#29129-077

Pro Se

Plaintiff(s),

v.

WOOLSTON, Vocational Instructor,  
LIKEN, Education Department,

Marcy E. Cook

Defendant(s).

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**COURTROOM MINUTES / MINUTE ORDER**

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**HEARING: RULE 16(b) SCHEDULING CONFERENCE**

**Court in session:** 2:00 p.m.

Court calls case. Appearance of *Pro Se* Plaintiff and defense counsel.

It is noted the Plaintiff filed a Motion to Oppose the Protective Order filed by the Defendants. This motion [Docket No. 55] is determined to be a response to a motion which had been discussed with the Plaintiff by the Defendant, but had not yet been filed. With agreement of the parties,

**It is ORDERED:** Plaintiff's MOTION TO OPPOSE THE PROTECTIVE ORDER FILED BY THE DEFENDANTS [Docket No. 55, filed January 06, 2012] is **WITHDRAWN** and is deemed a **RESPONSE** to Defendants' MOTION FOR PROTECTIVE ORDER [Docket No. 57, Filed January 09, 2012].

Defendants shall have up to and including **FEBRUARY 02, 2012** within which to file any REPLY.

It is noted both sides filed proposed Scheduling Orders [Docket No. 54 and Docket No. 59] Docket No. 59 is used as the framework and a final Scheduling Order with additions and corrections made on the record will be submitted for the Court's signature JANUARY 24, 2012, *nunc pro tunc* to January 23, 2012.

The following will confirm the actions taken and dates set at the scheduling conference held this date:

Joinder of Parties/Amendment to Pleadings: **FEBRUARY 22, 2012**

Discovery Cut-off: **JUNE 22, 2012**

Dispositive Motions Deadline: **AUGUST 03, 2012**

Each side shall be limited to one (1) expert witness, without further leave of Court.

Parties shall designate experts **on or before APRIL 13, 2012**

Parties shall designate rebuttal experts **on or before MAY 25, 2012**

The disclosure of experts shall be consistent with Fed. R. Civ. P. 26(a)2(B).

Interrogatories, Requests for Production, and Requests for Admissions shall be served on or before **MAY 18, 2012**.

Each party shall be limited to twenty-five (25) Interrogatories, twenty-five (25) Requests for Production, and twenty-five (25) Requests for Admissions, without leave of Court.

Each party shall be limited to five (5) depositions, including experts. Each deposition shall be limited to one (1) day of a maximum of seven (7) hours, absent leave of Court. All depositions, fact and expert witnesses, shall be completed **no later than JUNE 22, 2012**.

Parties shall use deposition exhibits numbered in consecutive order, not separated as Plaintiff Exhibits or Defendant Exhibits. Parties shall not use any duplicative exhibits.

Defendants anticipate filing a Motion pursuant to Fed.R.Civ.P. 30(a)(2) for Leave to Depose Plaintiff who is confined to prison.

No **SETTLEMENT CONFERENCE** is set at this time.

A **STATUS CONFERENCE** is set **APRIL 02, 2012 at 9:00 a.m.**

*Pro Se* Plaintiff shall call the Court at (303) 844-2403 at the scheduled time to participate in the Status Conference. Defense counsel shall appear in person.

Topics of discussion will include (1) status of discovery (2) status of outstanding motions (3) timing and need to set a Settlement Conference.

**FINAL PRETRIAL CONFERENCE** set for **OCTOBER 04, 2012 at 9:00 a.m.**

in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19<sup>th</sup> Street, Denver, Colorado 80294.

The proposed final pretrial order shall be filed, and then sent as a Word or WordPerfect attachment to [Watanabe\\_Chambers@cod.uscourts.gov](mailto:Watanabe_Chambers@cod.uscourts.gov), **on or before SEPTEMBER 27, 2012**.

**In the subject line** of the e-mail, counsel shall list the case number, short caption, and "proposed final pretrial order." (See [www.cod.uscourts.gov](http://www.cod.uscourts.gov) for more information.)

Valid photo identification is required to enter the courthouse. In accordance with Fed.R.Civ.P. 16(e), the conference shall be attended by at least one of the attorneys who will conduct the trial for each of the parties and by any unrepresented parties. Incarcerated individuals shall appear by telephone.

**TRIAL:** Trial will be set by U. S. Circuit Court Judge David M. Ebel after the final pretrial conference is held. The parties anticipate a five (5) day trial to a jury.

● Parties are directed to [www.cod.uscourts.gov](http://www.cod.uscourts.gov) regarding Judicial Officers' Procedures and shall fully comply with the procedures and Practice Standards of the judicial officer assigned to try this case on the merits.

Absent exceptional circumstances, no request for rescheduling any appearance in this court will be entertained unless a written request is made FIVE (5) business days in advance of the date of appearance.

**[X]** Scheduling Order is approved and made an order of court and shall be filed in its final form for the Court's signature by end of business **JANUARY 24, 2012**.

Hearing concluded.

**Court in recess:** 2:43 p.m.  
Total in-court time: 00:43