

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer

Civil Action: 11-cv-02333-LTB-CBS
Date: July 31, 2012

FTR - Reporter Deck-Courtroom A402
Courtroom Deputy: Robin Mason

Parties:

LaFaye Adams

Plaintiff,

Counsel:

Pro Se

v.

FEDEX GROUND PACKAGE SYSTEM,
INC., *et al.*,

Defendants.

Mark Thomas Clouatre
Thomas Eilif Miller Werge

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in Session: 10:47 a.m.

Court calls case. Appearances of counsel. *Ms. LaFaye Adams appears as pro se.*

The court addresses the parties regarding the Plaintiff's MOTION to Strike Defendant's Untimely Response to Plaintiff's Amended Complaint (re: #26 MOTION to Dismiss Plaintiff's Second Amended Complaint) (Docket NO. 29, filed on 6/22/2012), the plaintiff's MOTION for Default Judgment Against Separate Defendant FedEx Ground Package System, Inc. (Docket No. 30, filed on 6/22/2012), and the defendant's MOTION for Extension of Time to File Answer or Otherwise Respond re #23 Amended Complaint (Docket No. 33, filed on 6/29/2012).

Ms. Adams presents oral argument. Ms. Adams cites case law. Discussion between the court and Ms. Adams regarding Rule 12 (a defendant must either file an answer or file a motion to dismiss), Rule 12(a)(1), Rule 12(b), Rule 15(a) pertaining to responding to the complaint, and Rule 15(a)(3).

For reasons as stated on the record,

ORDERED: The court **DENIES** the Plaintiff's MOTION to Strike Defendant's Untimely Response to Plaintiff's Amended Complaint (re: #26 MOTION to Dismiss Plaintiff's Second Amended Complaint) (Docket NO. 29, filed on 6/22/2012).

Discussion between the court and Ms. Adams regarding Rule 55 pertaining to entering a default judgment.

For reasons as stated on the record,

ORDERED: The court **DENIES** the plaintiff's MOTION for Default Judgment Against Separate Defendant FedEx Ground Package System, Inc. (Docket No. 30, filed on 6/22/2012). The court **DENIES** the defendant's MOTION for Extension of Time to File Answer or Otherwise Respond re #23 Amended Complaint (Docket No. 33, filed on 6/29/2012).

The court addresses the parties regarding the defendant's MOTION to Dismiss Plaintiff's Second Amended Complaint (Docket No. 26, filed on 6/21/2012) and the deadline for the plaintiff to file her response to this motion (August 7, 2012).

Discussion between the court and Ms. Adams regarding why this hearing today was set and the defendant's MOTION to Dismiss Plaintiff's Second Amended Complaint (Docket No. 26, filed on 6/21/2012) . Ms. Adams makes an oral motion to extend the deadline to file her response to the motion. No objection from defense counsel. The court grants the plaintiff's oral motion.

ORDERED: The plaintiff shall file her response to the defendant's MOTION to Dismiss Plaintiff's Second Amended Complaint (Docket No. 26, filed on 6/21/2012) **no later than August 21, 2012.**

11:40 a.m. Off record discussion with parties.

HEARING CONCLUDED.

Court in recess: 11:44 a.m.

Total time in court: 00:57

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