

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 12-cv-00090-RPM

DAVID W. REA, JR.,

Plaintiff,

v.

RE/MAX, L.L.C.;

Defendant.

ORDER DENYING SECOND MOTION TO DISMISS OR STRIKE

This matter is set for a scheduling conference on April 18, 2012. On March 22, 2012, the defendant filed a second motion to dismiss and motion to strike, or in the alternative, for more definite statement. The motion is not necessary. The scope of the claims in the case will be considered and clarified at the scheduling conference and counsel are expected to discuss these matters in the preparation of a proposed scheduling order. The purpose of Rule 16 is to avoid motions practice that is not necessary. Accordingly, it is

ORDERED that the defendant's second motion to dismiss and motion to strike, or in the alternative, for more definite statement is denied.

DATED: March 23rd, 2012

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge