

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

Civil Action No.: 12-cv-00624-WYD-CBS
Date: September 5, 2012

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

Parties:

WAYNE GLASSER,

Plaintiff,

v.

CAROLE KING, *et al.*,

Defendants.

Counsel:

Pro Se (appearing by telephone)

Kathryn Anne Teresa Starnella
Joseph Patrick Sanchez
Michael Alan Watts

COURTROOM MINUTES/MINUTE ORDER

HEARING: STATUS CONFERENCE

Court in Session: 11:04 a.m.

Court calls case. Appearances of counsel.

The court advises the parties that it would like to address the pending referred motions.

Discussion between the court and Mr. Glasser regarding his MOTION to Amend #7 Amended Complaint (Docket No. 76, filed on 8/9/2012) and his claims and allegations in the (AMENDED) Prisoner COMPLAINT (Docket No. 7, filed on 4/16/2012).

Discussion regarding granting the plaintiff's MOTION to Amend #7 Amended Complaint (Docket No. 76, filed on 8/9/2012), allowing Mr. Glasser to file his second amended complaint, granting Mr. Glasser an extension of sixty days to file a certificate, possibly putting Mr. Glasser on the waiting list for an attorney, staying discovery for sixty days, and setting a hearing once the sixty day extension has ended.

Discussion between the court and Mr. Watts regarding how the sixty day impacts him filing a

motions to dismiss (pertaining to the plaintiff's eighth amendment claim) and Rule 12(b)(6).

Discussion between the court and Mr. Glasser regarding Mr. Glasser obtaining experts, finding funds to pay those experts, and Rule 12.

ORDERED: The court **GRANTS** plaintiff's MOTION to Amend #7 Amended Complaint (Docket No. 76, filed on 8/9/2012) and accepts for filing the plaintiff's second amended complaint to be deemed filed as of today's date (September 5, 2012).

ORDERED: The court shall stay the defendants obligations to respond, under Rule 12, for sixty days. The court shall stay all discovery. The court shall also extend, under the Colorado Statute, for an additional sixty days Mr. Glasser's ability to provide the necessary certificate(s).

ORDERED: The court shall **GRANT** the plaintiff's MOTION for Waiver of Certificate of Review Requirement, Or, in the Alternative, Appointment of Counsel and Extension of Time for Filing a Certificate of Review (Docket No. 64, filed on 7/19/2012) to the extent that it seeks an extension of time to provide the necessary certificate(s).

ORDERED: The court shall **DENIES AS MOOT, without prejudice**, the defendant's MOTION to Dismiss in Part (Docket No. 44, filed on 6/21/2012), the defendant's MOTION to Dismiss Party (Docket No. 53, filed on 7/6/2012), and the defendant's MOTION to Dismiss Party (Docket No. 79, filed on 8/10/2012). The court advises that it shall stay any further motions directed to the second amended complaint for a period of sixty days.

ORDERED: A further telephonic Status Conference is set for **November 6, 2012 at 10:00 a.m.** *Defense counsel, Plaintiff (or his case manager), shall coordinate to create a conference call among themselves before contacting the court (303.844.2117) at the scheduled time.*

The court addresses the parties regarding the plaintiff's MOTION to Amend Order Dismissing Defendant Colorado Department of Corrections (Docket No. 22, filed on 5/16/2012).

Discussion between the court and Mr. Glasser regarding his MOTION to Amend Order Dismissing Defendant Colorado Department of Corrections (Docket No. 22, filed on 5/16/2012) and Rule 65 pertaining to the standard for injunctive relief.

The court recaps its rulings for the plaintiff.

Discussion between the court and Mr. Glasser regarding Mr. Glasser requesting to have an updated docket sheet mailed out to him and the status of service on defendant Michael Hansa.

HEARING CONCLUDED.

Court in recess: 11:51 a.m.

Total time in court: 00:47

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