

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01175-PAB-MJW

GERALD McCOLLUM,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff's Motion for Appearance of Witnesses Pursuant to Fed. Rule Civil P. 26(a)(3)(A) (Docket No. 98) is DENIED WITHOUT PREJUDICE. This court entered a Recommendation (Docket No. 91) on September 9, 2013 recommending that defendant's Motion for Summary Judgment (Docket No. 78) be denied. On September 26, 2013, defendant filed an Objection (Docket No. 97) to this court's Recommendation. The court further notes that the Trial Preparation Conference is set until January 12, 2014, and Trial is set to begin on February 4, 2014. Accordingly, the court denies the subject motion without prejudice as premature. Plaintiff is given leave to refile the motion after Judge Brimmer has issued a ruling on this court's Recommendation.

Date: October 16, 2013

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