

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

**Civil Action No.: 12-cv-01578-LTB-CBS**  
**Date: December 11, 2012**

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

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Parties:

MATTHEW ALAN SMITH,

Plaintiff,

v.

UNITED PARCEL SERVICE,

Defendant.

Counsel:

*Pro Se*

Joseph Neguse

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**COURTROOM MINUTES/MINUTE ORDER**

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**HEARING: TELEPHONIC STATUS CONFERENCE**

**Court in Session: 2:58 p.m.**

Court calls case. Appearances of counsel.

Discussion between the court and Mr. Smith regarding his MOTION to Compel & For New Scheduling Conference Date & Time (Docket 62, filed on 11/26/2012) and the defendant's STATUS REPORT Regarding Discovery (Docket No. 68, filed on 12/9/2012).

Discussion between the court and Mr. Smith regarding Rule 16 pertaining to the purpose of scheduling conferences, Local Rule 7.1a, Rule 37(a) pertaining to the meet and confer obligation, Rule 37(a)(5) pertaining to filing motions to compel and the court awarding fees and cost against the person(s) filing an improper motion to compel.

Discussion between the court and Mr. Smith regarding Rule 33 and Rule 33(d) pertaining to interrogatories, Rule 34 pertaining to requests for production, and what the difference is between interrogatories and requests for production.

Further discussion between the court and Mr. Smith regarding his MOTION to Compel & For New Scheduling Conference Date & Time (Docket 62, filed on 11/26/2012), Mr. Smith's served

interrogatories, Mr. Smith's served requests for production, Mr. Smith's claims and allegations, and Rule 36 pertaining to requests for admissions. Mr. Smith makes an oral motion to withdraw this motion. The court grants Mr. Smith's oral motion.

**ORDERED:** The court shall **WITHDRAW** the plaintiff's MOTION to Compel & For New Scheduling Conference Date & Time (Docket 62, filed on 11/26/2012).

The parties agree to continue to work on their discovery disputes without further involvement from the court.

The court advises Mr. Smith that he shall file no more motions requesting a scheduling conference and that the purpose of requesting another scheduling conference would be only if a discovery deadline needs to be extended. The court advises Mr. Smith that no motions to compel shall be filed by him unless Local Rule 7.1a and Rule 37(a) obligations have been met.

HEARING CONCLUDED.

**Court in recess: 3:49 p.m.**

Total time in court: 00:51

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