

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

Civil Action:12-cv-01883-MSK-CBS
Date: February 26, 2013

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

Parties:

ONLINE TOOLS FOR PARENTS, LLC,

Plaintiff,

v.

TOM VILSACK, *et al.*,

Defendants.

Counsel:

Michael Jacob Laszlo
Theodore E. Laszlo, Jr.

Marcy Elizabeth Cook

COURTROOM MINUTES/RECOMMENDATION PURSUANT TO RULE 72(B)

HEARING: MOTION HEARING/RULE 16(b) SCHEDULING CONFERENCE

Court in session: 1:29 p.m.

Court calls case. Appearances of counsel.

The court addresses the parties regarding the defendant's MOTION to Dismiss for Failure to State a Claim Amended Complaint (Docket No. 51, filed on 1/8/2013).

Ms. Cook presents oral argument.

Mr. Laszlo presents oral argument.

Discussion between the court and the parties regarding this motion. The court cites relevant case law.

The court stated, from the bench, its findings and legal basis for its recommendation.

As stated on the record, the court hereby recommends that the defendant's MOTION to Dismiss for Failure to State a Claim Amended Complaint (Docket No. 51, filed on 1/8/2013) be DENIED.

The court informs the parties that the 14 days to file objections starts from today's date.

The court addresses the parties regarding the defendant's Joint MOTION to Stay Discovery (Docket No. 67, filed on 2/11/2013).

Discussion between the court and the parties regarding discovery.

ORDERED: The court **DENIES** the defendant's Joint MOTION to Stay Discovery (Docket No. 67, filed on 2/11/2013).

Parties have held a Rule 26(f) meeting and Rule 26(a) disclosures have been fulfilled.

THE FOLLOWING WILL CONFIRM THE ACTIONS TAKEN AND DATES SET AT THE SCHEDULING CONFERENCE HELD THIS DATE:

Deadline for Amendment of pleadings/Joinder of parties: **January 18, 2013**

Discovery Cut-off: **November 26, 2013**

Dispositive Motions deadline: **January 7, 2014**

Parties shall designate affirmative experts **on or before September 16, 2013**

Parties shall designate rebuttal experts **on or before October 28, 2013**

Each party shall be limited to four (4) expert witnesses, absent leave of court.

Each party shall be limited to ten (10) depositions, absent leave of court.

Interrogatories, Requests for Production of Documents, and Requests for Admissions shall be served **no later than THIRTY THREE DAYS** prior to close of discovery.

A SETTLEMENT CONFERENCE was not set.

FINAL PRETRIAL CONFERENCE will be set by Chief Judge Krieger.

Counsel may not file any OPPOSED discovery motions without leave of court. Counsel are instructed that should a discovery dispute arise they are to comply with Local Rule 7.1A. in an effort to resolve the issues. If that is unsuccessful, counsel shall establish a conference call adding Magistrate Judge Shaffer as the last connection. The Court will hear arguments and attempt to mediate a resolution. The Court will instruct counsel at that time as to whether or not to file a discovery motion.

TRIAL:

The parties anticipate a one (1) week Bench Trial.

- Scheduling Order is signed and entered with interlineations.

HEARING CONCLUDED.

Court in recess: 2:47 p.m.

Total time in court: 01:18

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