

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01952-WYD-MEH

SETH WARNICK, on behalf of himself and all others similarly situated,

Plaintiff,

v.

DISH NETWORK LLC,

Defendant.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on October 23, 2012.

Defendant's Motion to Clarify Merits-Based Expert Rebuttal Disclosure Deadline [filed October 22, 2013; docket #140] is **granted** as follows. The Court notes that the deadline at issue in the present motion was proposed by the parties in a "joint stipulated" motion filed on August 2, 2013 (docket #53). The August 2 motion proposed a discovery cutoff date that was the same as the merits-based expert disclosure deadline, but did not propose a deadline for dispositive motions. Although, typically, the discovery cutoff is set sometime later than deadlines for expert disclosures to allow for oral or written discovery into expert reports, the Court granted the parties' proposed deadlines and added a deadline for dispositive motions typically set thirty days after the discovery cutoff. The parties did not object to these settings at the time of the Court's order on August 5, 2013.

Now, it appears that the Defendant has recognized issues that may arise with setting an expert disclosure deadline and discovery cutoff on the same date. In the interests of justice and judicial efficiency, and for exceptional cause shown, the Court will modify the operative Scheduling Order as follows:

Merits-based expert disclosures due:	November 1, 2013
Merits-based expert rebuttal disclosures due:	December 2, 2013
Discovery cutoff:	January 3, 2014
Dispositive motions deadline:	February 3, 2014

The Court will grant no further extensions of these deadlines absent a showing of exceptional cause.

In addition, the Status Conference currently set for December 9, 2013 is **vacated and rescheduled to January 8, 2014 at 9:45 a.m.** in Courtroom A-501, on the fifth floor of the Alfred A. Arraj United States Courthouse located at 901 19th Street, Denver, Colorado. Please remember that anyone seeking entry into the Alfred A. Arraj United States Courthouse will be required to show a valid photo identification. See D.C. Colo. LCivR 83.2B.