

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 12-cv-02710-REB-CBS

KAREN KINNE,
TIM DILL, and
ABRAHAM BACA, individually and on behalf of others similarly situated,

Plaintiffs,

v.

ROCKY MOUNTAIN EMS, INC., d/b/a ROCKY MOUNTAIN MOBILE MEDICAL,

Defendant.

ORDER GRANTING MOTION TO VACATE AND CONTINUE TRIAL

Blackburn, J.

This matter is before me on the **Joint Motion To Vacate Final Pre-trial Conference and Trial Setting and Request for Expedited Ruling** [#80]¹ filed January 3, 2014. The joint motion is, by definition, unopposed.

On September 12, 2013, I entered an order [#59] certifying conditionally a collective action concerning the claims of the plaintiffs under the Fair Labor Standards Act. The deadline for receipt of consent to join forms was December 10, 2013, and forms were received from 13 opt-in plaintiffs. Based on the possible addition of thirteen new plaintiffs in this case, the parties agree that the pretrial conference, currently set February 7, 2014, and the trial, currently set to commence March 3, 2014, should be continued. The parties seek additional time so they may conduct proper discovery as to

¹ “[#80]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

the 13 new opt-in plaintiffs. Given these circumstances, I agree that additional time is necessary to permit the parties to conduct discovery concerning the new opt-in plaintiffs.

THEREFORE, IT IS ORDERED as follows:

1. That the **Joint Motion To Vacate Final Pre-trial Conference and Trial Setting and Request for Expedited Ruling** [#80] filed January 3, 2014, is **GRANTED**.
2. That the combined Trial Preparation Conference and Final Pretrial Conference set February 7, 2014, at 3:30 p.m. and the trial set to begin March 3, 2014, at 8:30 a.m., are **VACATED** and **CONTINUED** pending further order;
3. That counsel **SHALL CONTACT** the court's administrative assistant, **Susan Schmitz**, at **(303) 335-2350** on **January 31, at 10:00 a.m.**, to reschedule the combined Trial Preparation Conference and Final Pretrial Conference and the trial;
4. That counsel for the plaintiff **SHALL ARRANGE, INITIATE**, and **COORDINATE** the conference call necessary to facilitate the setting conference;
5. That the **Trial Preparation Conference Order** [#18] filed January 8, 2013, is **AMENDED** as stated in this order; and
6. That otherwise, the **Trial Preparation Conference Order** [#18] filed January 8, 2013, **SHALL REMAIN** in full force and effect.

Dated January 21, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge