

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

Civil Action No. 12-cv-02797-REB-KMT

JOHN NEWMAN, and
NANCY NEWMAN,

Plaintiffs,

v.

MICHAEL D. HARLAN, and
JL SMITH TRUCKING COMPANY,

Defendant.

**AMENDED¹
ORDER ADOPTING RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

This matter is before me on **Recommendation of United States Magistrate Judge** [#65]² entered September 30, 2013. I approve and adopt the recommendation.

No objections to the recommendation were filed. Thus, I review it only for plain error. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10th Cir. 2005). The conclusions and recommendation of the magistrate judge are correct. Finding no error, much less plain error, in the scheduling recommended by the magistrate judge, I find and conclude that the recommendation

¹ This amended order is entered (1) to delete the discussion of the dismissal of the plaintiff's complaint as time-barred; and (2) to vacate expressly the extant Final Pretrial Conference, Trial Preparation Conference, and jury trial, which were not addressed specifically in the **Order Adopting Recommendation of United States Magistrate Judge** [#66] entered October 28, 2013.

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

should be approved and adopted as an order of this court.

THEREFORE, IT IS ORDERED as follows:

1. That the **Recommendation of United States Magistrate Judge** [#65] entered September 30, 2013 is **APPROVED** and **ADOPTED** as an order of this court;

2. That the pretrial deadlines in the recommendation are **APPROVED** and **ADOPTED** as an order of this court;

3. That the Final Pretrial Conference and Trial Preparation Conference set January 10, 2014, are **VACATED**;

4. That the jury trial set to commence February 3, 2014, is **VACATED**;

5. That on **November 6, 2013**, commencing at 10:00 a.m. (MST), the court **SHALL CONDUCT** a telephonic setting conference to reset the Final Pretrial Conference/Trial Preparation Conference and jury trial in this matter; and

6. That counsel for the plaintiff **SHALL ARRANGE, INITIATE**, and **COORDINATE** the conference call necessary to facilitate the setting conference to the Judicial Assistant for Judge Blackburn, at (303) 335-2350.

Dated October 29, 2013, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge