

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 12-cv-03035-PAB-KMT

MARINA RODRIGUEZ,

Plaintiff,

v.

LUCHEY & MITCHELL RECOVERY SOLUTIONS, LLC,  
TERETTE HAUGABOOK, individually,  
CHRISTOPHER DOBBINS, individually, and  
JOHN DOE CORPORATION,

Defendants.

---

**MINUTE ORDER**

---

**ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA**

“Plaintiff’s Motion for Relief from Deadline” (Doc. No. 19, filed March 12, 2013) is **DENIED**. The Scheduling Conference previously has been reset, at Plaintiff’s request, two times. Though neither served defendant has answered or appeared, Plaintiff has not moved for entry of default. The Scheduling Order must be entered “within the earlier of 120 days after any defendant has been served with the complaint, or 90 days after any defendant has appeared.” Fed. R. Civ. P. 16(b). Thus, because Plaintiff states Defendant Luchey & Mitchell Recover Solutions, LLC, was served on December 4, 2012, the Scheduling Order must be entered on or before April 3, 2013. Plaintiff’s counsel previously advised he was unavailable on April 3, 2013, and requested that the Scheduling Conference be set on March 18 through March 22, 2013. The court granted Plaintiff’s counsel’s request. It appears Plaintiff’s counsel is unavailable after March 22, 2013. Therefore, the Scheduling Conference will not be continued.

Dated: March 13, 2013