

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 12-cv-03358-CMA-BNB

C.S., an unemancipated person, through his parents and next friend, MICHAEL AND CYNTHIA SCHAFFER,
MICHAEL SCHAFFER, and
CYNTHIA SCHAFFER,

Plaintiffs,

v.

PLATTE CANYON SCHOOL DISTRICT NO. 1,
JAMES WALPOLE,, Superintendent, in his individual and official capacity,
MIKE SCHMIDT, Principal, in his individual and official capacity,
MELISSA COOPER, Special Education Director, in heir individual and official capacities,
DANIEL DESLAURIERS, Special Education Director, in his individual and official capacities,
and
MEGGIN STOUT, Special Education Teacher, in her individual and official capacities,

Defendants.

ORDER

This matter arises on the plaintiffs' **First Supplement to Civil Scheduling Order** [Doc. # 23, filed 6/3/2013] (the "Supplement").

The parties appeared for a scheduling conference on April 9, 2013. The plaintiffs failed to provide any information in connection with the section of the Scheduling Order captioned Computation of Damages. Consequently, I required that the plaintiffs file a supplement to the Scheduling Order on or before May 31, 2013, containing "a good faith estimate of the economic damages claimed." Scheduling Order [Doc. # 14] at Part 5.

The plaintiffs filed the required supplement on June 3, 2013. It contains no meaningful information about the economic damages claimed other than to state that there are no past

medical expenses. In particular, the Supplement identifies “Other Economic Damages”; does not specify any such damages; and states instead “To be supplemented by Plaintiff’s [sic] expert disclosures.” Supplement [Doc. # 23] at p. 2. This is precisely the kind of hide-the-ball litigation tactics I intended to avoid by requiring the Supplement. Expert disclosures do not occur in this case until August 15, 2013, with a discovery cut-off on October 8, 2013. Scheduling Order [Doc. # 14] at pp. 13-14. The defendants and the court are entitled at this stage of the proceedings to a good faith estimate of the specific economic damages which the plaintiffs claim, including a description of the nature of those damages, to be refined if necessary by expert disclosures.

IT IS ORDERED that on or before **June 7, 2013**, the plaintiffs shall file and serve a second supplement to the Scheduling Order identifying the nature of the “Other Economic Damages” claimed by the plaintiffs and a good faith estimate of the amount of those “Other Economic Damages.”

Dated June 3, 2013.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge