

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00066-MSK-MEH

The UNITED STATES OF AMERICA for the use and benefit of Fisher Sand and Gravel Co., an Arizona corporation, d/b/a Arizona Drilling and Blasting, and FISHER SAND AND GRAVEL CO., d/b/a Arizona Drilling and Blasting, an Arizona corporation,

Plaintiff,

v.

KIRKLAND CONSTRUCTION, LLP, a Colorado company, and TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, a Connecticut corporation,

Defendants.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on April 17, 2014.**

The Joint Motion to Modify Scheduling Order to Extend Close of Discovery [filed April 16, 2014; docket #56] is **granted**. Paragraph 9 of the Scheduling Order in this case shall be modified as follows:

b. Fact discovery cutoff: May 7, 2014

The Court will grant no further extension of this deadline absent a showing of exceptional cause. All other deadlines and conference dates will remain the same.

The Joint Motion to Modify Scheduling Order to Allow Expert Depositions After the Close of Discovery [filed April 16, 2014; docket #56] is **granted in part and denied in part**. The Court finds the parties' suggested deadline vague and speculative and, thus, difficult by which to monitor the proceedings. The parties assert that they intend to participate in a mediation after dispositive motions are filed June 10, 2014; therefore, the Court will permit the parties to depose the three experts identified in the motion on or before July 31, 2014.