

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer

Civil Action: 13-cv-00284-MSK-CBS
Date: May 22, 2013

FTR - Reporter Deck - Courtroom A402
Courtroom Deputy: Courtni Covington

Parties:

ANTHONY RUBY,

Plaintiff,

Counsel:

John M. Baird

v.

BEECHER CARLSON HOLDINGS, INC.,

Defendant.

Charles W. Weese, III
Megan D. Rhodes

COURTROOM MINUTES/MINUTE ORDER

HEARING: TELEPHONIC STATUS CONFERENCE/MOTION HEARING

Court in session. 10:02 a.m.

Court calls case. Appearances of Counsel.

Discussion regarding Defendant's **MOTION for Stay of Formal Discovery** [Doc. No. 16, filed 5/2/2013]. Discussion regarding Plaintiff's opposition.

Discussion regarding whether discovery should be pursued or stayed until after the filing of an Amended Complaint. Plaintiff advises the court that an Amended Complaint will not be filed until after the EEOC claims are resolved. Discussion regarding when or if OnPoint should be added as a party in the case.

ORDERED: Defendant's **MOTION for Stay of Formal Discovery** [Doc. No. 16, filed 5/2/2013] is **DENIED** as the motion does not establish good cause.

The court suggests Plaintiff should draft an Amended Complaint, consult with Defense counsel, and file an Unopposed Motion for Leave to Amend Complaint. At that point, Plaintiff could serve on the new party listed in the Amended Complaint and the court could set a Scheduling Conference. Defense counsel states it will represent OnPoint.

The court advises the parties that once the Amended Complaint is filed, the court will issue an Order setting a Scheduling Conference 30 days out, and that a Proposed Scheduling Order shall be filed 7 days prior to the hearing.

The parties are directed to commence formal discovery.

10:27 a.m. Court in recess.

Hearing concluded.

Total time: 00:25

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