

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe**

Civil Action No. 13-cv-00556-PAB-MJW

FTR - Courtroom A-502

Date: July 09, 2013

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

IVETTE T. ECHENIQUE,

Pro Se (by telephone)

Plaintiff(s),

v.

GOODWILL INDUSTRIES OF DENVER,

Nicholas A. Murray

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: RULE 16(b) CONFERENCE / SHOW CAUSE HEARING / STATUS CONFERENCE

Court in session: 1:35 p.m.

Court calls case. Appearances of *Pro Se* plaintiff and defense counsel.

Discussion is held regarding Plaintiff's Motion to Amend Case Caption and Defendants [sic] on Previously Submitted Complaint. It is noted Defendant filed no Response. With no objection,

It is ORDERED: Plaintiff's MOTION TO AMEND CASE CAPTION AND DEFANDANTS [sic] ON PREVIOUSLY SUBMITTED COMPLAINT [Docket No. **25**, filed June 06, 2013] is **GRANTED** for reasons as set forth on the record. Therefore, the Complaint [Docket No. **1**] filed March 04, 2013 is deemed amended to correct the caption to indicate the name of the Defendant as GOODWILL INDUSTRIES OF DENVER.

As Plaintiff is *Pro Se*, the Clerk of the Court is directed by the Court to re-file the Complaint [Docket No. 1] as an AMENDED COMPLAINT, thereby having a new CM/ECF Docket Number. The only change requested by the Plaintiff in her motion and on the record today is that the name of the Defendant be corrected. Therefore, the only change made to the Complaint shall be that, throughout the Complaint, the name is changed from GOODWILL, INC. to GOODWILL INDUSTRIES OF DENVER.

Defense counsel accepts service on behalf of the named Defendant Goodwill Industries of Denver.

All future pleadings shall have the amended caption:

IVETTE T. ECHENIQUE,

Plaintiff,

v.

GOODWILL INDUSTRIES OF DENVER,

Defendant.

As Defendant has been served and is present in court,

It is ORDERED: The ORDER TO SHOW CAUSE [Docket No. 23, filed May 13, 2013] is deemed satisfied and is discharged.

Defendant makes an Oral Motion to Withdraw Defendant's Motion to Dismiss, or in the Alternative, Motion for More Definite Statement. With no objections,

It is ORDERED: Defendant's ORAL MOTION TO WITHDRAW Defendant's Motion to Dismiss, or in the Alternative, Motion for More Definite Statement is GRANTED, and Defendant's MOTION TO DISMISS, OR IN THE ALTERNATIVE, MOTION FOR MORE DEFINITE STATEMENT [Docket No. 16, filed May 09, 2013] is **WITHDRAWN** with leave to re-file.

The following will confirm the actions taken and dates set at the scheduling conference held this date:

It is noted both parties filed Proposed Scheduling Orders, Docket Numbers 31 and 32. The Court uses the Proposed Scheduling Order filed by Defendant [Docket No. 31] as the format and incorporates Pro Se Plaintiff's input.

Parties shall complete their Fed. R. Civ. P. 26(a)(1) disclosures **on or before JULY 24, 2013.**

Joinder of Parties/Amendment to Pleadings: **JULY 31, 2013**

Discovery Cut-off: **DECEMBER 10, 2013**

Dispositive Motions Deadline: **JANUARY 10, 2014**

Each side shall be limited to two (2) expert witnesses, without further leave of Court.

Parties shall designate experts **on or before OCTOBER 21, 2013**

Parties shall designate rebuttal experts **on or before NOVEMBER 21, 2013**

The disclosure of Experts shall be consistent with Fed. R. Civ. P. 26(a)2(B).

Interrogatories, Requests for Production, and Requests for Admissions shall be served on or before **NOVEMBER 06, 2013**.

Each side shall be limited to twenty-five (25) Interrogatories, twenty-five (25) Requests for Production, and twenty-five (25) Requests for Admissions, without leave of Court.

Each side shall be limited to ten (10) depositions, including experts. Each deposition shall be limited to one (1) day of a maximum of seven (7) hours, absent leave of Court. All depositions, fact and expert witnesses, shall be completed no later than **DECEMBER 10, 2013**.

Parties shall use deposition exhibits numbered in consecutive order, not separated as Plaintiff Exhibits or Defendant Exhibits. Parties shall not use any duplicative exhibits.

FINAL PRETRIAL CONFERENCE set for **MARCH 10, 2014 at 9:00 a.m.**
in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado 80294.

The proposed final pretrial order shall be filed **on or before MARCH 03, 2014**.

Defendant shall electronically file the partes' proposed Final Pretrial Order unless Plaintiff has retained counsel.

In accordance with Fed.R.Civ.P. 16(e), the conference shall be attended by at least one of the attorneys who will conduct the trial for each of the parties and by any unrepresented parties.

TRIAL:

The parties anticipate a four (4) day trial to a jury.

The Honorable Philip A. Brimmer will set a Trial Preparation Conference and Trial at a future date.

● Parties are directed to www.cod.uscourts.gov regarding Judicial Officers' Procedures and shall fully comply with the procedures and Practice Standards of the judicial officer assigned to try this case on the merits.

Anyone seeking entry into the Alfred A. Arraj United States Courthouse will be required to show a valid current photo identification. See D.C.COLO.LCivR 83.2B. Failure to comply with this requirement may result in denial of entry to the courthouse.

Absent exceptional circumstances, no request for rescheduling any appearance in this court will be entertained unless a written request is made FIVE (5) business days in advance of the date of appearance.

[X] Scheduling Order is approved with interlineations and made an Order of Court. Parties shall file the Scheduling Order in its final form for the Court's signature **on or before JULY 16, 2013**, *nunc pro tunc JULY 09, 2013*.

Hearing concluded.

Court in recess: 2:17 p.m. Total in-court time: 00:41

To order a transcript of this proceedings, contact Avery Wood Reports (303) 825-6119 or Toll Free 1-800-962-3345.