

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01738-MSK-MJW

ELIZAETH WOJDACZ,

Plaintiff(s),

v.

ROBERT E. BLACKBURN,  
MICHAEL E. HEGARTY,  
ERIC LAMPHERE,  
KIM DELINE,  
MICHAEL WATTS,  
RUTHERFORD, MULLEN & MOORE,  
LINDSEY TOPPER,  
COLORADO SPRINGS CITY POLICE DEPARTMENT,  
SGT. JOEL KERN,  
W. LAMBERT,  
LT. SCOTT WHITTINGTON,  
MEDINA GENERAL HOSPITAL,  
AKRON CHILDREN'S HOSPITAL MEDICAL CENTER OF AKRON,  
ASHLAND COUNTY DEPARTMENT OF HUMAN SERVICES, and  
CITY OF COLORADO SPRINGS, COLORADO,

Defendant(s).

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that the Plaintiff's Opposed Motion for Extension of Time to Reply to City Defendants' Motion to Dismiss Plaintiff's Amended Complaint Pursuant to Fed.R.Civ.P. [sic] 12(b)(1) (Docket No. 41) and Plaintiff's Unopposed Motion for Extension of Time to Reply to Defendants Robert E. Blackburn and Michael E. Hegarty's Motion to Dismiss Claims in Amended Complaint (Docket No. 42) (which is opposed by defendants - see Docket No. 49) are both granted in part and denied in part as set forth below. In both motions, plaintiff seeks to obtain discovery on the factual issues raised in the motions made pursuant to Rule 12(b)(1), and she thus requests time to engage in that discovery and time to prepare responses to the motions.

The motion is granted to the extent that the plaintiff shall have up to and including October 21, 2013, to file a response to each of the two pending motions to dismiss (Docket Nos. 31 and 32) (plaintiff shall not combine her responses into one document

but shall file a response to each motion). The motion is denied, however, with respect to the plaintiff's request to conduct discovery with respect to the 12(b)(1) motions. Plaintiff did not specify what pertinent facts bearing on the question of jurisdiction are disputed or insufficient and what limited discovery she believes is necessary in order to respond to the defendants' motions.

It is further ORDERED that Defendants Robert E. Blackburn and Michael E. Hegarty's Motion to Stay Discovery and Motion to Vacate Deadlines in Scheduling Order (Docket No. 40) is granted to the extent that discovery is stayed with respect to the claims against defendants Blackburn and Hegarty pending a ruling on their motion to dismiss (Docket No. 31). The motion is denied as premature with respect to the request to vacate deadlines in the Scheduling Order because no Scheduling Order has been entered to date in this case.

Date: October 2, 2013

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