

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

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

FTR - Courtroom A-502

**Date:** October 21, 2013

Courtroom Deputy, Ellen E. Miller

*Parties*

*Counsel*

ELIZAETH WOJDACZ,

*Pro Se*

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,

Michael C. Johnson  
Michael K. Gendill  
Franz Hardy  
Lindsey S. Topper  
Christopher P. Brown  
Kendra N. Beckwith  
Mark Landes (by telephone)

Defendant(s).

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**COURTROOM MINUTES / MINUTE ORDER**

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**HEARING: RULE 16(b) SCHEDULING CONFERENCE**

**Court in session:** 3:29 p.m.

Court calls case. Appearances of counsel. in accordance with ECF Procedures, (Version 5.1, effective February 23, 2012) V 5.5, counsel is required to enter his/her appearance through the electronic filing system.

**It is ORDERED:** Christopher P. Brown, on behalf of Medina General Hospital, shall file his Entry of Appearance **on or before OCTOBER 25, 2013.**

This is the time set for a Rule 16(b) Scheduling Conference. In view of the pending motions to stay, the time is utilized to discuss the status of the case. No pretrial settings or deadlines are set. The Proposed Scheduling Order submitted by the parties [Docket No. 70, filed October 14, 2013] is not considered by the Court.

The Court raises the defendants' Motions to Stay for discussion.

**It is ORDERED:** MOTION OF DEFENDANT ASHLAND COUNTY DEPARTMENT OF HUMAN SERVICES TO STAY DISCOVERY [Docket No. **55**, filed October 04, 2013] is **GRANTED** for reasons as set forth on the record.

**It is ORDERED:** CITY DEFENDANTS' OPPOSED MOTION TO STAY DISCOVERY UNTIL THE COURT DECIDES THEIR PENDING MOTION TO DISMISS (Docket # 32) [Docket No. **71**, filed October 15, 2013] is **GRANTED** for reasons as set forth on the record.

**It is ORDERED:** Defendants Kimberly DeLine; Michael Watts; and Retherford, Mullen & Moore, LLC's MOTION TO STAY DISCOVERY [Docket No. **78**, filed October 18, 2013] is **GRANTED** for reasons as set forth on the record.

**It is ORDERED:** Discovery is STAYED as to all defendants until further order of the Court.

Plaintiff notes she hand-delivered to the Clerk of the Court office, just before this conference, her written Response to two pending motions to dismiss:  
Defendants Robert E. Blackburn and Michael E. Hegarty's Motion to Dismiss Claims in Amended Complaint [Docket No. **31**, filed September 09, 2013] and City Defendants' Motion to Dismiss Plaintiff's Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(1); and 12(b)(6) Docket No. **32**, filed September 09, 2013].

**It is ORDERED:** Defendants Robert E. Blackburn and Michael E. Hegarty shall file their REPLY re: Motion to Dismiss [Docket No. **31**] on or before **NOVEMBER 01, 2013**.

**It is ORDERED:** City Defendants shall file their REPLY re: Motion to Dismiss [Docket No. **32**] on or before **NOVEMBER 01, 2013**.

Copies are printed of Motion to Dismiss [Docket No. 54] and Motion to Dismiss [Docket No. 65] and given to the Plaintiff.

**It is ORDERED:** Plaintiff shall have up to and including **NOVEMBER 29, 2013** within which to file her RESPONSE to Motion to Dismiss of Defendant Ashland County Department of Human Services for Lack of Subject Matter Jurisdiction, Personal Jurisdiction, and Improper Venue [Docket No. **54**, filed October 04, 2013].

Defendant shall then have up to and including **DECEMBER 13, 2013** to file its REPLY.

**It is ORDERED:** Plaintiff shall have up to and including **NOVEMBER 29, 2013** within which to file her RESPONSE to Defendants Kimberly DeLine; Michael Watts; and Retherford, Mullen & Moore, LLC's Motion to Dismiss [Docket No. **56**, filed October 07, 2013].  
Defendants shall then have up to and including **DECEMBER 13, 2013** to file their REPLY.

**It is ORDERED:** Plaintiff shall have up to and including **NOVEMBER 29, 2013** within which to file her RESPONSE to Defendant Akron Children's Hospital's Motion to Dismiss [Docket No. **65**, filed October 09, 2013].  
Defendant shall then have up to and including **DECEMBER 13, 2013** to file its REPLY.

Any defendant wishing to have the claims dismissed against that defendant must file an appropriate motion to dismiss.

Plaintiff inquires about Appointment of Counsel. The Court informs Plaintiff that she may review and, if she wishes, file a motion in accordance with the U. S. District Court Pilot Program to Implement A Civil Pro Bono Panel.

Plaintiff inquires about setting a settlement conference with the Court. The Court informs the Plaintiff that she may file a motion requesting a settlement conference be set, to be decided by Chief Judge Krieger.

Plaintiff confirms with the Court that she has no permanent address or telephone as she is still living in her vehicle which she parks in various residential areas or parking lots. Her current mailing address is P. O. Box 3188, Denver, CO 80201

Hearing concluded.

**Court in recess:** 4:00 p.m.  
Total in-court time: 00:31

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