

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-02063-CMA-KLM

TAE HYUNG LIM,

Plaintiff,

v.

AMERICAN ECONOMY INSURANCE COMPANY,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on the parties' **Joint Motion to Amend the Civil Scheduling Order** [#30]¹ (the "Motion"). In the Motion the parties ask that several dates set in the Scheduling Order [#18] be extended. Among other things, the Motion states that "the parties agreed that Plaintiff would have until March 14, 2014 to supplement his F.R.C.P. 26(a)(2) disclosures and that Defendant would have until April 14, 2014 to provide its F.R.C.P. 26(a)(2) endorsements to Plaintiff." *Motion* [#30] at 1-2. The Motion also asks the Court to extend the discovery deadline and the dispositive motions deadline. *Id.* at 2. However, the Motion does not mention the March 15, 2014 deadline for disclosure of rebuttal experts set in the Scheduling Order. *Scheduling Order* [#18] at §9.d.4. It is clear that the parties anticipate expert disclosures, but it is not clear if they (1) have decided to forego rebuttal expert disclosures, (2) inadvertently failed to address rebuttal expert disclosures, or (3) if Defendant anticipates disclosing rebuttal experts only and Plaintiff does not anticipate disclosing any rebuttal expert and, therefore, the parties intend to request an extension of the rebuttal expert disclosure deadline when they ask for an extension of Defendant's Fed. R. Civ. P. 26(a)(2) disclosure deadline. Accordingly,

IT IS HEREBY **ORDERED** that the Motion [#30] is **GRANTED** in part and **DENIED without prejudice in part**. The Scheduling Order entered on October 7, 2013 [#18] is amended to extend the following deadlines:

¹ "[#30]" is an example of the convention the Court uses to identify the docket number assigned to a specific paper by the Court's case management and electronic case filing system (CM/ECF). The Court uses this convention throughout this Minute Order.

- Plaintiff's Supplemental Expert Disclosure Deadline **March 14, 2014**
- Discovery Deadline **May 1, 2014**
- Dispositive Motions Deadline **June 2, 2014**

The parties may address the requested April 14, 2014 deadline in a motion that clarifies the confusion addressed above.

Dated: March 6, 2014