

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable R. Brooke Jackson

Civil Action No 13-cv-02492-RBJ

RODRICK KEMP, as a personal representative of the estate of Oliver B. Kemp,

Plaintiff,

v.

AMERICA'S SERVICING COMPANY, a division of Wells Fargo Bank., N.A.,  
WELLS FARGO HOME MORTGAGE, INC., division of Wells Fargo Bank, N.A.,  
WELLS FARGO BANK, N.A., a national banking association, and,  
THE BANK OF NEW YORK MELLON, f.k.a The Bank of New York as Successor in  
Interest to JP Morgan Chase Bank N.A. Trustee of Structured Asset Mortgage  
Investments II Inc., Bear Stearns ALT-A Trust 2005-5, Mortgage Pass-Through Certificates,  
Series 2005-5,

Defendants.

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ORDER TO SET SCHEDULING CONFERENCE

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This matter comes before the Court *sua sponte*. The parties are ordered to set an initial scheduling conference in this Court (with Judge Jackson) pursuant to Fed. R. Civ. P. 16(b) and D.C.COLO.LCivR 16.1 no later than 45 days after the answer, motion to dismiss or other response to the complaint is filed. Each party's lead trial counsel shall attend the conference. The conference shall be held in Courtroom A-902, Alfred A. Arraj U.S. Courthouse, 901 19<sup>th</sup> Street, Denver, Colorado. The parties are directed to jointly contact Chambers by telephone at (303) 844-4694 or by email at [Jackson\\_Chambers@cod.uscourts.gov](mailto:Jackson_Chambers@cod.uscourts.gov) to obtain a scheduling conference date.

A meeting for the purposes of attempting to agree on a scheduling order and satisfying the requirements of Fed. R. Civ. P. 26(f) should be held no later than 21 days before the

proposed scheduling order is tendered. The proposed scheduling order, which should be prepared as described in Appendix F to the local rules, should be tendered no later than five days before the scheduling conference. The proposed scheduling order should set forth the parties' agreement or their respective positions on the matters set forth in Appendix F. A copy of instructions for the preparation of a scheduling order and a form scheduling order can be downloaded from the Court's website

(<http://www.cod.uscourts.gov/CourtOperations/RulesProcedures/Forms.aspx>).

DATED this 18<sup>th</sup> day of September, 2013.

BY THE COURT:

A handwritten signature in black ink, appearing to read "R. Brooke Jackson", written in a cursive style. The signature is positioned above a horizontal line.

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R. Brooke Jackson  
United States District Judge