

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 13-cv-02747-WJM-BNB

KEIFER JOHNSON,,

Plaintiff,

v.

WESTERN STATE COLORADO UNIVERSITY,
BRAD BACA, individually and in his official capacity as President of Western State Colorado University,
GARY PIERSON, individually and in his official capacity as Vice President for Student Affairs and Dean of Students,
SARA PHILLIPS, individually and in her official capacity as Title IX coordinator, and
CHRIS LUEKENGA, individually and in his official capacity as Associate Vice President for Student Affairs,

Defendants.

ORDER

This matter arises on the following:

- (1) **The Joint Motion . . . to Stay Discovery Pending Alternative Dispute Resolution** [Doc. # 83, filed 3/24/2014] (the “Motion to Stay Discovery”); and
- (2) **The Joint Motion to Vacate Scheduling Order or In the Alternative Extend Deadlines Therein** [Doc. # 84, filed 3/24/2014] (the “Motion to Vacate Schedule”).

In addition, the district judge has referred the matter to me to hold an early neutral evaluation and settlement conference. Order [Doc. # 87].

I agree with the parties that staying all discovery pending the settlement conference, which is set to occur promptly, preserves resources and furthers the policy of promoting compromise through settlement. In addition, requiring the parties to designate experts while

undertaking settlement discussions, under the specific and unique facts of this case, is not justified. I do not agree, however, that at this time the entire case schedule must be vacated or adjusted by six months.

IT IS ORDERED:

(1) The Motion to Stay Discovery [Doc. # 83] is GRANTED. All discovery is STAYED pending the completion of the settlement conference or further order of the court.

(2) The Motion to Vacate Schedule [Doc. # 84] is GRANTED IN PART and DENIED IN PART as follows:

• GRANTED to extend the expert witness disclosures and discovery cut-off as follows:

(a) The parties shall designate all experts and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) on or before April 18, 2014;

(b) The parties shall designate all rebuttal experts and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) on or before May 23, 2014;

(c) Discovery cut-off is extended to and including June 16, 2014; and

• DENIED in all other respects.

(3) A settlement conference is set for **April 7, 2014, at 9:00 a.m.**, in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado. All settlement conferences that take place before the magistrate judge shall be confidential. *Pro se* parties, attorneys, and client representatives with full authority to settle the case must be present at the settlement conference in person. (NOTE: This requirement is not fulfilled by the presence

of counsel alone. If an insurance company is involved, an adjustor authorized to enter into settlement must also be present.) Each party shall submit a confidential settlement statement to my chambers on or before **March 31, 2014**, outlining the facts and issues in the case and containing a specific offer of compromise, including a dollar amount the client will accept or pay in settlement and any other essential terms of a settlement.

Dated March 25, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge