

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

Civil Action No. 13-cv-03063-REB-MJW

FTR - Courtroom A-502

Date: January 28, 2014

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

AARON JORDAN,
#201300015019 Arapahoe County Detention

Pro Se (by telephone)

Plaintiff(s),

v.

RYAN M. SMITH (agent),
OFFICER HAWKINS #49252 (official capacity suit),
MOVIE TAVERN, and
CITY OF AURORA,

Julia A. Bannon
Charles A. Piekarski

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: MOTIONS HEARING / RULE 16(b) SCHEDULING CONFERENCE

Court in session: 10:29 a.m.

Court calls case. Appearances of *Pro Se* plaintiff and defense counsel.

The Court raises Aurora Defendants' Motion to Clarify [Docket No.23] for argument, motion filed by defendants Officer Hawkins and City of Aurora. Discussion is held. With no objection by Plaintiff,

It is ORDERED: AURORA DEFENDANTS' MOTION TO CLARIFY [Docket No. 23, filed January 08, 2014] is **GRANTED** for reasons as set forth on the record. The caption is corrected to list **MOVIE TAVERN** and **CITY OF AURORA** as two separate defendants. The caption on all future pleadings shall list MOVIE TAVERN and CITY OF AURORA as two separate defendants.

The Court raises Aurora Defendants' Motion to Amend/Correct/Modify Entry of Appearance [Docket No. 25, Filed January 08, 2014] for argument. Discussion is held. With no objection from the Plaintiff,

It is ORDERED: Aurora Defendants' MOTION TO AMEND/CORRECT/MODIFY ENTRY OF APPEARANCE [Docket No. 25, filed January 08, 2014] is **GRANTED** for reasons as set forth on the record.

Ms. Bannon does not now and never has had the authority to represent the Ryan Smith, nor Movie Tavern, named in the Plaintiff's Complaint. She represents Officer Hawkins and City of Aurora only.

The Court raises Aurora Defendants' Motion to Dismiss Officer Hawkins and to Recaption Case [Docket No. 27, Filed January 08, 2014] for argument. Discussion is held.

It is ORDERED: Plaintiff shall have up to and including **FEBRUARY 21, 2014** within which to file his written RESPONSE to Aurora Defendants' Motion to Dismiss Officer Hawkins and to Recaption Case [Docket No. 27, filed January 08, 2014].

It appears no proof of proper service as to Ryan M. Smith and/or Movie Tavern has been filed.

It is ORDERED: A **SHOW CAUSE HEARING / STATUS CONFERENCE** **APRIL 08, 2014 at 9:00 a.m.** in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado 80294. A written ORDER TO SHOW CAUSE shall issue.

As Plaintiff is incarcerated, he shall appear by telephone by calling the Court chambers (303) 844-2403 at the scheduled time.

Discussion is held regarding Plaintiff's Motion for Jury Demand [Docket No. 20] which was stricken by the Court in its Order [Docket No. 22] entered January 06, 2014. D.C.COLO.LCivR 10.1(g) requires all handwritten documents to be legible. Upon further review of the Motion for Jury Demand [Docket No. 20], the Court finds it is able to discern what the Plaintiff is seeking and therefore reconsiders its Order striking the document.

It is ORDERED: The Court Minute Order [Docket No. 22, filed January 06, 2014] is VACATED, and Plaintiff's Motion for Jury Demand [Docket No. 20, filed January 03, 2014] is accepted as a pending motion.

With no objection from Defendants present,

It is ORDERED: Plaintiff's MOTION FOR JURY DEMAND [Docket No. 20, filed January 03, 2014] is **GRANTED** for reasons as set forth on the record.

The following will confirm the actions taken and dates set at the scheduling conference held this date:

Parties shall complete their Fed. R. Civ. P. 26(a)(1) disclosures on or before **FEBRUARY 14, 2014**.

Joinder of Parties/Amendment to Pleadings: **MARCH 14, 2014**

Discovery Cut-off: **JULY 28, 2014**

Dispositive Motions Deadline: **AUGUST 27, 2014**

Each side shall be limited to three (3) expert witnesses, without further leave of Court.
Parties shall designate experts **on or before APRIL 18, 2014**
Parties shall designate rebuttal experts **on or before MAY 19, 2014**
The disclosure of Experts shall be consistent with Fed. R. Civ. P. 26(a)2(B).

Interrogatories, Requests for Production, and Requests for Admissions shall be served on or before **JUNE 24, 2014**.

Each side shall be limited to twenty-five (25) Interrogatories, twenty-five (25) Requests for Production, and twenty-five (25) Requests for Admissions, without leave of Court.

Each side shall be limited to five (5) depositions, including experts. Each deposition shall be limited to one (1) day of a maximum of seven (7) hours, absent leave of Court. All depositions, fact and expert witnesses, shall be completed **no later than JULY 28, 2014**.
Parties shall use deposition exhibits numbered in consecutive order, not separated as Plaintiff Exhibits or Defendant Exhibits. Parties shall not use any duplicative exhibits.

FINAL PRETRIAL CONFERENCE, TRIAL PREPARATION CONFERENCE and TRIAL:
Will be set by Judge Robert E. Blackburn by Order at a future date. The parties anticipate a three (3) day trial to a jury:

● Parties are directed to www.cod.uscourts.gov regarding Judicial Officers' Procedures and shall fully comply with the procedures and Practice Standards of the judicial officer assigned to try this case on the merits.

[X] Scheduling Order is approved with interlineations. Parties shall file the Scheduling Order in its final form for the Court's signature **on or before FEBRUARY 04, 2014**, *nunc pro tunc* JANUARY 28, 2014.

Hearing concluded.

Court in recess: 11:25 a.m.
Total in-court time: 00:54

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