

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-03392-RBJ-KLM

PHILLIP DAVID HASKETT,

Plaintiff,

v.

GARY WOODROW FLANDERS,

DOMINICK LUNA, Colorado Springs Police Department Officer, in his individual and official capacities, and

THE COLORADO SPRINGS POLICE DEPARTMENT, a Department of the City of Colorado Springs, Colorado,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Motion for Leave to File a Sur-Reply to Defendant Flanders' Reply in Support of His Combined Second Motion to Dismiss and Motion to Strike** [#55] (the "Motion for Leave") and on Plaintiff's **Motion to Set Rule 26(f) Conference or in the Alternate [sic], Motion to Enter Proposed Scheduling Order** [#57] (the "Motion to Set").

IT IS HEREBY **ORDERED** that the Motion for Leave [#55] is **DENIED**. Surreplies are not contemplated by the Federal Rules of Civil Procedure or the Local Rules of Practice, and leave to file a surreply is rarely granted. The Court is adequately advised of the issues raised in Defendant Flanders' Motion to Dismiss [#49] on the parties' present briefings.

IT IS FURTHER **ORDERED** that the Motion to Set [#57] is **DENIED**. A Scheduling Conference will be set, if necessary, after resolution of the pending Motions to Dismiss [#37, #49]. A Scheduling Order will be entered at the time of the Scheduling Conference.

Dated: October 10, 2014