

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

Civil Action No. 13-cv-03475-RM-BNB

WILEY LONG, and  
PALEO DIET ENTERPRISES, LLC, a Colorado limited liability company,

Plaintiffs,

v.

LOREN CORDAIN, and  
THE PALEO DIET, LLC, a Colorado limited liability company,

Defendants.

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**ORDER**

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This matter arises on the following:

- (1) **Plaintiffs' Motion to Stay Or, In the Alternative, for an Extension of Time**  
[Doc. # 25, filed 8/12/2014] (the "Motion to Stay or Extend");
- (2) **Defendants' Motion to Strike Untimely Expert** [Doc. # 28, filed 8/22/2014]  
(the "Motion to Strike Expert"); and
- (3) **Plaintiffs' Motion to File Reply** [Doc. # 34, filed 9/14/2014] (the "Motion to Reply").

I held a hearing on the motions this afternoon and made rulings on the record, which are incorporated here.

**IT IS ORDERED:**

- (1) The Motion to Reply [Doc. # 34] is GRANTED. The Clerk of the Court is directed to accept for filing the Reply [Doc. # 34-1].

(2) The Motion to Stay or Extend [Doc. # 25] is DENIED.

(3) The Motion to Strike Expert [Doc. # 28] is DENIED. In order to cure any prejudice resulting from surprise based on the late designation of the plaintiffs' expert, the case schedule is modified to the following extent:

(a) Fact discovery is extended to and including October 10, 2014, solely to allow the defendants to depose Mr. Long after they receive responses to written discovery previously served;

(b) The defendants shall designate all rebuttal experts and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) on or before October 29, 2014; and

(c) Expert discovery is extended to and including November 28, 2014.

Dated September 15, 2014.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge