IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00619-PAB-KLM

FRANCO MARTINEZ,
DANA MARTINEZ, and
PAUL GOMEZ, JR.,

   Plaintiffs,

v.

THE CITY OF AURORA,
OFFICER TIMOTHY HUFFMAN,
OFFICER CHRISTOPHER CRUSER,
INVESTIGATOR KENNETH MARTINEZ,
OFFICER BRAD GRAHAM, and
SERGEANT RANDAL MOODY,

   Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

   This matter is before the Court on the parties' **Stipulated Consent to Amend Aurora Defendants' Answer and Stipulated Motion to Amend Civil Scheduling Order** [#18][1] (the "Motion"). The Motion states that it is filed pursuant to Fed. R. Civ. P. 15(a) and 16(b)(4). *Motion* [#18] at 1. Pursuant to Fed. R. Civ. P. 15(a)(2) a party may amend a pleading with the opposing party's written consent. Here, Plaintiffs consent to the filing of Aurora Defendants' Amended Answer to Plaintiffs' Complaint and Jury Demand [#19]. Fed. R. Civ. P. 16(b)(4) states that a Scheduling Order "may be modified only for good cause and with the judge's consent." In the Motion, the parties explain that Defendant Investigator Kenneth Martinez ("Martinez") was inadvertently included in the Civil Scheduling Order [#16] entered by the Court on July 17, 2014, and that the Aurora Defendants inadvertently admitted the allegations in paragraph 14 of Plaintiffs' Complaint and Jury Demand [#1] without excluding Defendant Martinez. *Id.* at 2. Accordingly, for good cause shown,

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[1] "[#18]" is an example of the convention I use to identify the docket number assigned to a specific paper by the Court's case management and electronic case filing system (CM/ECF). I use this convention throughout this Minute Order.

IT IS HEREBY **ORDERED** that the Motion [#18] is **GRANTED**.

IT IS FURTHER **ORDERED** that the Amended Civil Scheduling Order [#18-1] supplied by the parties is **accepted** for filing and entered as an Order of the Court, as of the date of this Minute Order.

Dated: August 11, 2014