

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 14-cv-01066-REB-NYW

JAMES VAUGHN,

Plaintiff,

v.

SAFEWAY INC.,

Defendant.

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**ORDER CONTINUING TRIAL**

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**Blackburn, J.**

This matter is before me *sua sponte*. This case is set to commence trial by jury on June 1, 2015. However, one criminal case and two civil cases are also set to commence trial before me on June 1, 2015. Each of those cases has priority over the above-captioned case, and it appears likely that one or more of those cases will proceed to trial. In addition, still pending for recommendation before the magistrate judge is the **Amended Motion for Partial Summary Judgment on Liability As Against Defendant, Safeway, Inc.** [#101] filed by the plaintiff on April 24, 2015. Even with truncated deadlines for a response and reply, and a nearly immediate recommendation by the magistrate judge, there still would not be sufficient time for the parties to marshal any objections and responses thereto and for the court to consider and rule on the recommendation, any objections, and the motion for summary judgment prior to the date currently set for trial.

The court therefore finds and concludes that it would be in the best interest of all

to vacate and continue the trial and the Final Pretrial Conference/Trial Preparation Conference, currently set for May 15, 2015, until after the motion for summary judgment has been vetted fully.

**THEREFORE, IT IS ORDERED** as follows:

1. That the combined Final Pretrial Conference and Trial Preparation Conference set for May 15, 2015, and the trial set to commence June 1, 2015, are vacated and continued pending further order;

2. That on **May 8, 2015, at 10:00 a.m.** (MDT), counsel shall contact the court's administrative assistant at **(303) 335-2350** to reschedule the trial and the combined Final Pretrial Conference and Trial Preparation Conference; and

3. That the **Trial Preparation Conference Order** [#18] entered June 27, 2014, and the **Scheduling Order** [#17] filed June 26, 2014, are amended and supplemented accordingly.

Dated April 29, 2015, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge