

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

Civil Action No. 14-cv-01319-PAB-MJW

FTR - Courtroom A-502

Date: September 22, 2014

Courtroom Deputy, Ellen E. Miller

Parties

ROBERT ALVAREZ and  
GEORG-ANDREAS POGÁNY,

Plaintiff(s),

v.

COL DAVID GROSSO,  
in his individual and official capacity,  
SGM MARK COOK,  
in his individual and official capacity,  
COL JOHN IRGENS,  
in his individual and official capacity,  
LTG JOSEPH ANDERSON,  
in his individual and official capacity,  
COL JOEL HAMILTON,  
in his individual and official capacity, and  
DOES 1-20,

Amy L. Padden

Defendant(s).

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COURTROOM MINUTES / MINUTE ORDER

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**HEARING: RULE 16(b) SCHEDULING CONFERENCE**

Court in session: 10:22 a.m.

Court calls case. Appearances of counsel.

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

Discussion is held regarding Plaintiffs' Motion for Leave to File First Amended Complaint.

**It is ORDERED:** Plaintiffs' MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT [Docket No. 32, Filed September 22 2014] is **GRANTED** for reasons as set forth on the record.

The FIRST AMENDED COMPLAINT [Docket No. 32-1] , minus the Page 1 "Exhibit A", is accepted for filing as of September 22, 2014

It is noted Lt. Joseph Anderson, who is on active military duty, has not been served in his individual capacity.

A **SHOW CAUSE HEARING** is set **NOVEMBER 25, 2014 at 10:00 a.m.** as to non-service of Lt. Anderson in his individual capacity and as to the defendants DOE 1-20, in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19<sup>th</sup> Street, Denver, Colorado 80294. A written ORDER TO SHOW CAUSE shall issue. Plaintiff's counsel may appear by telephone by calling chambers (303) 844-2403 at the scheduled time.

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

Joiner of Parties/Amendment to Pleadings: **NOVEMBER 06, 2014**

With the consideration that some defendants are active military duty, the discovery deadline is extended to a date past the court's regular goal deadline.

Discovery Cut-off: **MAY 22, 2015**

Dispositive Motions Deadline: **JUNE 22, 2015**

Each side shall be limited to two (2) expert witnesses, without further leave of Court.

Parties shall designate experts **on or before MARCH 23, 2015**

Parties shall designate rebuttal experts **on or before APRIL 22, 2015**

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

Each party shall be limited to twenty-five (25) Interrogatories, without leave of Court.

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

Each side shall be limited to ten (10) depositions. 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 MAY 22, 2015**

**FINAL PRETRIAL CONFERENCE** set for **SEPTEMBER 01, 2015 at 9:00 a.m.**

in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19<sup>th</sup> Street, Denver, Colorado 80294.

The proposed final pretrial order shall be filed **on or before AUGUST 25, 2015**

In accordance with Fed.R.Civ.P. 16(e), the conference shall be attended by at least one of the attorneys who will conduct the trial for each of the parties and by any unrepresented parties.

**TRIAL:**

The parties anticipate a five (5) day trial to a jury; claims for injunctive relief will be tried to the Court. The Honorable Philip A. Brimmer will set a Trial Preparation Conference and Trial at a future date.

- Parties are directed to [www.cod.uscourts.gov](http://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.

Anyone seeking entry into the Alfred A. Arraj United States Courthouse will be required to show a valid current photo identification. See D.C.COLO.LCivR 83.2B. Failure to comply with this requirement may result in denial of entry to the courthouse.

Absent exceptional circumstances, no request for rescheduling any appearance in this court will be entertained unless a written request is made FIVE (5) business days in advance of the date of appearance.

Scheduling Order is signed and entered with interlineations **SEPTEMBER 22, 2014**

Hearing concluded.

**Court in recess:** 10:52 a.m.

Total in-court time: 00:30

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