

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

Civil Action No. 14-cv-01428-REB-MJW

FTR - Courtroom A-502

Date:

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

JOSE MARTINEZ,

M. T. Beverly Mahaso (by telephone)

Plaintiff(s),

v.

FORDYCE AUTO CENTER, INC., and
GORDON FORDYCE,

Michael J. Decker
Elizabeth A. Gillespie
Bradley Ross-Shannon
John S. Tatum
Justin H. Zouski

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: RULE 16(b) SCHEDULING CONFERENCE

Court in session: 9:45 a.m.

Court calls case. Appearances of counsel.

Pursuant to D.C.COLO.LCivR 10.1 it is noted that the proper case number for this action is 14-cv-01428-REB-MJW. Counsel are directed to edit their records accordingly.

Discussion is held regarding the pending Motions to Dismiss. Counsel on behalf of defendant Gordon Fordyce makes an oral motion to withdraw the Motion to Dismiss [Docket No. 16] which was filed prior to the filing of the Amended Complaint [Docket No. 19, filed June 27, 2014]. With no objections,

It is ORDERED: Defendant Gordon Fordyce's Oral Motion to Withdraw the first Motion to Dismiss is granted, therefore, Defendant Gordon Fordyce's MOTION TO DISMISS THE PLAINTIFF'S CLAIM OF HARASSMENT PURSUANT TO F.R.C.P. [sic] 13(b)(6) [Docket No. 16, filed June 20, 2014] is **WITHDRAWN** for reasons as set forth on the record

Plaintiff shall file his Response to the remaining Motion to Dismiss [Docket No. 20, filed July 11, 2014] in accordance with the Local Rules for the District of Colorado.

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

Joinder of Parties/Amendment to Pleadings: **SEPTEMBER 13, 2014**

Discovery Cut-off: **MARCH 18, 2015**

Dispositive Motions Deadline: **APRIL 20, 2015**

Each side shall be limited to expert witnesses, without further leave of Court.

Parties shall designate experts **on or before DECEMBER 29, 2014**

Parties shall designate rebuttal experts **on or before JANUARY 28, 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 **FEBRUARY 16, 2015**

Limitations as to interrogatories, requests for production, and requests for admission as proposed by the parties are accepted by the 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, or as agreed by parties in Scheduling Order, absent leave of Court. All depositions, fact and expert witnesses, shall be completed **no later than MARCH 18, 2015**.

FINAL PRETRIAL CONFERENCE, TRIAL PREPARATION CONFERENCE and TRIAL:

Currently set before Judge Robert E. Blackburn:

Final Pretrial Conference and Trial Preparation Conference: July 24, 2015 at 10:00 a.m.

Parties shall file their proposed final pretrial order on or before July 17, 2015

Ten (10) day trial to a jury: August 10, 2015 at 8:30 a.m.

● Parties are directed to 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.

[X] Scheduling Order is signed and entered with interlineations **JULY 29, 2014**

Hearing concluded.

Court in recess: 10:04 a.m.

Total in-court time: 00:19

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