

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01457-RPM

JAMES DONALD BOVE

Plaintiff,

v.

COLORADO CENTER FOR NEUROLOGICAL REHABILITATION, INC. d/b/a
NEUROSCIENCE ASSOCIATION, a Colorado corporation,

Defendant.

AMENDED SCHEDULING ORDER

**1. DATE OF CONFERENCE
AND APPEARANCES OF COUNSEL AND PRO SE PARTIES**

A scheduling conference was held on September 18, 2014, at 11:30 a.m. where Plaintiff James Donald Bove was represented by Diane S. King, Esq. and Dana L. Menzel, Esq., King & Greisen LLP, 1670 York Street, Denver, CO 80206, 303-298-9878. Defendant Colorado Center for Neurological Rehabilitation, d/b/a Neuroscience Associates, was represented by Meghan E. Pound, Esq., Caplan and Earnest, LLC, 1800 Broadway, Suite 200, Boulder, CO 80302, phone: (303) 443-8010.

2. STATEMENT OF JURISDICTION

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331 and 1343, 42 U.S.C. § 1988, as amended by the Civil Rights Attorney Fee Award Act of

1976.

2. Venue is proper with this Court as all employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the District of Colorado and pursuant to 28 U.S.C. § 1391(b).

3. STATEMENT OF CLAIMS AND DEFENSES

The parties incorporate the claims and defenses set forth in the Scheduling Order approved on September 18, 2014.

4. UNDISPUTED FACTS

The parties incorporate the undisputed facts set forth in the Scheduling Order approved on September 18, 2014.

5. COMPUTATION OF DAMAGES

The parties incorporate the computation of damages set forth in the Scheduling Order approved on September 18, 2014.

6. REPORT OF PRECONFERENCE DISCOVERY AND MEETING UNDER FED. R. CIV. P. 26(f)

The parties incorporate the itemization set forth in the Schedule Order approved on September 18, 2014.

7. CASE PLAN AND SCHEDULE

- a. The filing of amended and supplemental pleadings will be made pursuant to Fed.R.Civ.P. 15.
- b. **Discovery Cut-Off Extended to:** October 1, 2015
- c. **Dispositive Motion Deadline Extended to:** November 2, 2015
- d. **Expert Disclosures:** Plaintiff's expert disclosures have already been

made. Defendant's expert disclosures shall be made by August 3, 2015.

e. Deposition Schedule: the depositions of Plaintiff, Dr. Richard Cook, and two employees of CCNR need to be rescheduled. The parties will work together to secure new dates for the first two weeks of August 2015.

f. Interrogatory Schedule:

The parties' interrogatories will be served no later than August 27, 2015, which is 35 days prior to the discovery cut-off.

g. Schedule For Request for Production of Documents:

The parties' request for production of documents will be served no later than August 27, 2015, which is 35 days prior to the discovery cut-off.

h. Discovery Limitations:

The parties incorporate the limitations set forth in the Scheduling Order approved on September 18, 2014.

i. Other Planning or Discovery Orders:

On September 18, 2015, the parties attended a Scheduling Conference. During the Scheduling Conference, the Court offered to request mediation with Judge Hegarty. The parties jointly request a mediation with Magistrate Hegarty to be scheduled for mid July, 2015.

8. OTHER SCHEDULING MATTERS

Counsel have agreed to the discovery and scheduling related matters as reflected herein.

9. TRIAL DATE AND LENGTH OF TRIAL WILL BE SET
AT THE PRE-TRIAL CONFERENCE TO BE SCHEDULED AFTER
COMPLETION OF DISCOVERY.

10. AMENDMENTS TO SCHEDULING ORDER

The provisions of this Scheduling Order may be altered or amended only upon a showing of good cause.

Dated this 7th day of May, 2015

BY THE COURT:



Richard P. Matsch
Senior District Court Judge

APPROVED AS SUBMITTED THIS 6TH DAY OF MAY, 2015.

S/DIANE S. KING

Diane S. King
Hunter A. Swain
King & Greisen, LLP
1670 York St.
Denver, CO 80206
(303) 298-9878 phone
(303) 298-9879 fax
king@kinggreisen.com
swain@kinggreisen.com
Counsel for Plaintiff

S/MEGHAN E. POUND

Meghan E. Pound
Caplan & Earnest LLC
1800 Broadway, Suite 200
Boulder, CO 80302-5289
(303) 443-8010 phone
(303) 440-3967 fax
mpound@celaw.com
Counsel for Defendant