

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 15-cv-00769-RM-NYW

ALAN EUGENE HUMPHREY, and  
WYOMING GTL, LLC, a Wyoming Limited Liability Company,

Plaintiffs,

v.

ESCALERA RESOURCES CO., a Maryland Corporation, and  
DOES 1-10, inclusive,

Defendants.

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**MINUTE ORDER GRANTING  
JOINT MOTION TO MODIFY SCHEDULING ORDER**

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Entered by Magistrate Judge Nina Y. Wang

This matter comes before the court on the parties' Joint Motion to Modify Scheduling Order (the "Motion"). [#23, filed Jan 20, 2016]. The Motion is before this Magistrate Judge pursuant to the Order Referring Case dated April 14, 2015 [#4] and the Memorandum dated January 21, 2016 [#27].

The parties represent that they request a modification of the Scheduling Order entered on July 27, 2015 in order to allow them additional time to complete discovery in this matter. [#23 at 1]. The original Scheduling Order contemplated approximately five months for discovery, and then another month for the filing of dispositive motions. [#17 at 7]. Discovery was then stayed on November 5, 2015 when Defendant filed for bankruptcy protection in this district. [#23 at 1]; *see also In re: Escalera Resources Co.*, Case No. 15-22395-TBM. Plaintiffs filed a motion to lift the stay, which was granted by the bankruptcy court on December 10, 2015, allowing this case to proceed. [#23 at 1]; [#23-1].

The parties represent that as of the date of the bankruptcy filing, both parties had served comprehensive written discovery requests on each other. [#23 at 2]. After the stay was lifted, the parties represent that their counsel are coordinating new deadlines for the responses to those discovery requests and intend to take a number of depositions listed in their proposed amended scheduling order. [#23 at 2]; [#23-2 at 9]. The parties represent that in light of the stay of discovery, they require additional time to complete discovery. [#23 at 2].

Having considered the parties' arguments, the court finds that good cause exists for the proposed amendments to the Scheduling Order. Accordingly, the Scheduling Order is amended as follows. Unless modified by this Order, all other deadlines and instructions in the Scheduling Order [#17] remain in effect.

1. Plaintiff will supplement its damages calculations no later than **March 16, 2016**.
2. The deadline for joinder of parties and amendment of pleadings, **September 10, 2015**, has passed. Therefore, the Parties must comply with both Rule 16(b) and Rule 15 in seeking any further extensions of such deadlines and leave to file an amended pleading.
3. The discovery cut-off is **April 29, 2016**.
4. Dispositive motions shall be filed no later than **May 30, 2016**.
5. The parties shall designate all experts and provide opposing counsel and any pro se parties with all information specified in Fed. R. Civ. P. 26(a)(2) on or before **March 16, 2016**.
6. The parties shall designate all rebuttal experts and provide opposing counsel and any pro se parties with all information specified in Fed. R. Civ. P. 26(a)(2) on or before **April 18, 2016**.
7. A Final Pretrial Conference will be held in this case on **July 29, 2016 at 9:30 a.m.** A Final Pretrial Order is due no later than seven (7) days prior to the Conference, and a courtesy copy in Word format should be submitted directly to Magistrate Judge Wang's chambers at [Wang\\_Chambers@cod.uscourts.gov](mailto:Wang_Chambers@cod.uscourts.gov).

DATED: January 22, 2016