

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01131-KLM

SLAWSON EXPLORATION COMPANY, INC.,

Plaintiff,

v.

ARCH SPECIALTY INSURANCE COMPANY, a Nebraska corporation,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on the parties' **Stipulated Motion to Amend Scheduling Order to Extend Discovery Deadlines** [#104]. The parties request an extension of 60 days for several deadlines in the Scheduling Order [#44].¹ In support, the parties contend that because the deadlines for choice of law motions and motions regarding exhaustion of underlying policies (collectively, "Threshold Motions") were extended previously, this impacts the parties' ability to conduct the discovery that may remain after the Court has ruled on the Threshold Motions. More specifically, the parties state that under the current Scheduling Order, they "do not have adequate time within which to wait for a ruling [on the Threshold Motions] to commence [subsequent discovery]." [#104] at 3.

The Court notes that extensions of deadlines and motions to amend the Scheduling Order [#44] have been previously granted in this case no less than eight times. *See Minute Orders* [##33, 40, 47, 49, 52, 54, 78, 97]. Thus, although the delay in ruling on the Threshold Motions has compressed the schedule outlined in the Scheduling Order, so have the parties' multiple requests for extension of time. In addition, the parties indicate that they have scheduled mediation for April 26, 2016, "which, if successful, will obviate the need for further discovery." *Id.* at 4.

IT IS HEREBY **ORDERED** that the Motion [#104] is **DENIED without prejudice**.

¹ These deadlines are: discovery cut-off; affirmative expert disclosures; rebuttal expert disclosures; service of interrogatories, and requests for production and/or admissions. *Motion* [#104] at 5-6.

IT IS FURTHER **ORDERED** as follows:

- (1) The following deadlines in the Scheduling Order are suspended immediately, pending further order of the Court: discovery cut-off, affirmative expert disclosure deadline, rebuttal expert disclosure deadline; and deadline to serve written discovery.
- (2) The parties shall file a joint Status Report regarding their mediation efforts on or before **May 2, 2016**. In the joint Status Report, the parties shall state: (a) whether the case has settled; (b) if the case has settled, when dismissal papers will be filed; and (c) if the case has not settled, how much time the parties need to complete discovery and disclose experts *after* a ruling on the Threshold Motions.

Dated: April 26, 2016