

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 15-cv-01898-RPM

NV5, INC., formerly known as NOLTE ASSOCIATES, INC.,

Plaintiff,

v.

KL&A, INC. and
WARE MALCOMB,

Defendants.

PROCEDURAL ORDER NUMBER ONE

Seeing that this civil action is now at issue, it is

ORDERED, that counsel will meet and confer as required by Rule 26(f)(2) within 30 days from the date of this order. Lead counsel shall attend the conference in person. The disclosures required by Rule 26(a)(1)(A) shall be made within 14 days after that conference. The proposed discovery plan will be in the form of the Scheduling Order which will be submitted to chambers in paper form 10 days before the date of the Scheduling Conference.

The disclosures must include copies of documents that are discoverable under Rule 26(b)(1) with the exception of electronically stored information which will be described by category and location.

In complex cases, the parties may limit disclosures to the core documents and provide for additional disclosures in the Scheduling Order.

Counsel for the plaintiff(s) will telephone chambers within 10 days after the disclosures to set a date and time for a Scheduling Conference pursuant to Rule 16.

Lead counsel for the parties will attend the Scheduling Conference and should be prepared to discuss the essential facts giving rise to the dispute and the discovery plan. NO FORMAL DISCOVERY WILL BE INITIATED BEFORE THE SCHEDULING ORDER IS ENTERED. Because candor in response to the Court's questions is expected, attendance at the conference is limited to the attorneys.

The form of scheduling order to be prepared for this Court is different from the form included in the Local Rules and is designed to facilitate the Court's early involvement in the preparation for adjudication of the merits of this lawsuit.

The instructions for preparation of the Scheduling Order and the form of that order are found at <http://www.cod.uscourts.gov/judges/judges.aspx>.

DATED: September 14th, 2015

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge