

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
MAGISTRATE JUDGE NINA Y. WANG

Civil Action: 15-cv-02488-MSK-NYW Date: March 15, 2016
Courtroom Deputy: Brandy Simmons FTR: NYW COURTROOM C-204*

Parties

Counsel

SANTIAGO ABREU,

Jason Stuart Weiss (via telephone)

Plaintiff,

v.

MAGGIANO'S HOLDING CORPORATION,

*Joseph James Lynett (via telephone)
Kristen Marie Baylis*

Defendant.

COURTROOM MINUTES/MINUTE ORDER

SCHEDULING CONFERENCE AND MOTION HEARING

Court in Session: 9:32 a.m.

Appearance of counsel.

Discussion and argument held on Plaintiff's Motion for Leave to Amend Complaint [Docket No. 35] filed January 28, 2016.

For the reasons stated on the record, it is

ORDERED: Plaintiff's Motion for Leave to Amend Complaint [35] is GRANTED. The Clerk of the Court is directed to accept the Amended Complaint [35-2] for filing. Defendant retains the right to answer or otherwise respond within fourteen days of this Order.

Parties believe a protective order will be necessary in this case. A proposed protective order is due on or before April 29, 2016.

Each party is allowed:

Five (5) depositions; including experts, no deposition may exceed one day of seven hours;
Twenty-five (25) interrogatories, including discrete subparts;
Twenty-five (25) requests for production of documents;
Twenty-five (25) requests for admissions, excluding those used for authentication of documents.

Deadline for joinder of parties and amendment of pleadings: April 29, 2016.

Discovery cut-off: September 16, 2016.

Dispositive motion deadline: October 14, 2016.

All parties shall designate principal experts on or before: July 11, 2016.
All parties shall designate rebuttal experts on or before: August 11, 2016.

Deadline to serve interrogatories, requests for production of documents, and requests for admissions: 45 days prior to discovery cut-off.

Parties should follow the practice standards of the presiding judge in all filings for this case.

TRIAL The Honorable Marcia S. Krieger will set Trial, Trial Preparation Conference, and Final Pretrial Conference dates by minute order after dispositive motions are determined. If the dispositive motion deadline passes without dispositive motions being filed, the parties shall contact Chambers **within 10 days of the dispositive motion deadline** to request that a Final Pretrial Conference be set. Failure to contact Chambers within this time may result in the case being dismissed for failure to prosecute.

Parties are advised of informal discovery dispute process. Before filing discovery motions, counsel are instructed to comply with D.C.Colo.LCivR 7.1(a) in an effort to resolve the issues. If that is unsuccessful, parties shall initiate a conference call among themselves and then call Magistrate Judge Wang's chambers. If the Court is available, and the matter is simple, she will hear arguments and attempt to mediate a resolution. If the Court is not available, or the matter is more complex, parties shall set a time for an informal discovery conference. Parties may need to submit materials to chambers. Parties are not barred from filing a formal motion, unless the court rules during the informal conference.

The Proposed Scheduling Order is approved and entered with interlineations made by the court.

Court in Recess: 9:58 a.m. Hearing concluded. Total time in Court: 00:26