

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

Civil Action No. 16-cv-00121-WJM-NYW

DAVID SHAMAYEV,

Plaintiff,

v.

OWNERS INSURANCE COMPANY,

Defendant.

**ORDER DISCHARGING ORDER TO SHOW CAUSE AND SETTING
SCHEDULING/PLANNING CONFERENCE**

Magistrate Judge Nina Y. Wang

This matter comes before the court *sua sponte* pursuant to the Order Referring Case dated February 4, 2016 [#13].

I. DISCHARGE OF ORDER TO SHOW CAUSE

On February 1, 2016, this court issued an Order to Show Cause directing Defendant Owners Insurance Company (“Owners”) to show cause in writing on or before February 8, 2016 why this case should not be remanded to state court due to Owners’ failure to file “a copy of all process, pleadings, and orders served upon such defendant or defendants in [the state court] action,” as required by 28 U.S.C. § 1446(a). [#9]. The parties were also directed to file the Consent/Nonconsent Form indicating whether they unanimously consented to the jurisdiction of a Magistrate Judge in this case on or before February 8, 2016.

Following entry of the Order to Show Cause, on February 1, 2016, Owners filed copies of all pleadings in the state court action. [#10]. On February 4, 2016, Plaintiff David Shamayev filed the Consent/Nonconsent Form indicating that all parties did not consent to the jurisdiction of a Magistrate Judge. [#11]. The case was then reassigned to the Honorable William J. Martinez, *see* [#12], and he issued an Order referring the case to the undersigned Magistrate Judge to conduct non-dispositive proceedings pursuant to 28 U.S.C. § 636(b)(1)(A) and (B) and Fed. R. Civ. P. 72(a) and (b), *see* [#12].

The court finds that the Parties have complied with the directives set out in the Order to Show Cause. Accordingly, the Order to Show Cause [#9] is **DISCHARGED**.

II. RULE 16(b) SCHEDULING CONFERENCE

The court shall hold a Fed. R. Civ. P. 16(b) scheduling and planning conference on:

March 8, 2016 at 9:00 a.m.

in Courtroom C-204, 2d Floor, Byron G. Rogers United States Courthouse, 1929 Stout Street, Denver, Colorado. Please remember that anyone seeking entry into the Byron G. Rogers United States Courthouse will be required to show valid photo identification. *See* D.C.COLO.LCivR 83.2(b).

A copy of the instructions for the preparation of a scheduling order and a form of scheduling order can be downloaded from the court's website at www.cod.uscourts.gov. The parties or their counsel shall submit their proposed scheduling order, pursuant to District of Colorado Electronic Case Filing ("ECF") Procedures V.6.0, including a copy of the proposed scheduling order in a Word format sent via email to Wang_Chambers@cod.uscourts.gov, on or before seven days prior to the Scheduling Conference:

March 1, 2016

The parties shall hold a pre-scheduling conference meeting and prepare a proposed Scheduling Order in accordance with Fed. R. Civ. P. 26(f) and D.C.COLO.LCivR 16.1 and 26.1(a) on or before:

21 days prior to scheduling conference

Pursuant to Fed. R. Civ. P. 26(d), no discovery will be deemed served until at least the pre-scheduling conference meeting contemplated by Fed. R. Civ. P. 26(f).

The parties shall comply with the mandatory disclosure requirements of Fed. R. Civ. P. 26(a)(1) on or before:

14 days after the pre-scheduling conference meeting.

DATED: February 8, 2016

BY THE COURT:

s/ Nina Y. Wang
United States Magistrate Judge