

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

BENJAMIN KARL SMITH,

Plaintiff,

vs.

SGT. POSTMA and OFFICER DAVID  
AUGUST,<sup>1</sup>

Defendants.

CV 14-62-H-DLC-JTJ

ORDER

Plaintiff Benjamin Smith, an inmate proceeding in forma pauperis and without counsel, filed a Motion to Compel Defendants to Hold Case Conference. (Doc. 68.) Mr. Smith is asking the Court to require Defendants to hold a case conference. Although the initial Scheduling Order in this matter required defense counsel to assume responsibility for convening a conference of all parties for the purpose of preparing a Proposed Final Pretrial Order, that was only if no dispositive motions were filed. (Sch. Ord, Doc. 23 at 3.) As dispositive motions were filed, that aspect of the Scheduling Order is not applicable.

Accordingly, IT IS HEREBY ORDERED THAT Mr. Smith's Motion to

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<sup>1</sup>The case caption has been amended to reflect the dismissal of some of the defendants on August 11, 2016. (Doc. 67.)

Comply (Doc. 68) is **DENIED**.

DATED this 7th day of October 2016.

/s/ John Johnston  
John Johnston  
United States Magistrate Judge