

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JESUSITA AGUIRRE,

Plaintiff,

v.

Civ. No. 18-153 WJ/GBW

ATRIUM MEDICAL CORPORATION, *et al.*,

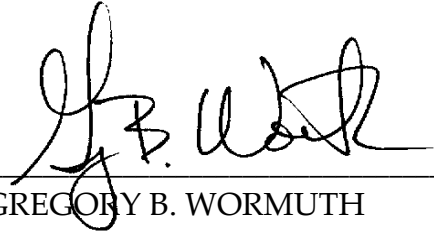
Defendants.

ORDER DENYING PLAINTIFF'S MOTION TO SET PRETRIAL CONFERENCE

THIS MATTER comes before the Court on Plaintiff's Motion to Set a Pretrial Conference. *Doc. 40*. Plaintiff moves the Court to set a Rule 16 Initial Scheduling Conference and establish discovery deadlines. Defendants neither indicated their concurrence nor timely responded to Plaintiff's Motion.

It is the general practice of this Court to issue an Initial Scheduling Order, setting a Rule 16 Initial Scheduling Conference, once all defendants have responded to the complaint. Plaintiff filed her Amended Complaint on June 12, 2019 (*doc. 38*). The Defendants filed a Notice of Agreed Extension of Time on June 12, 2019, indicating that the parties had agreed to extend Defendants' time to answer or respond to the Amended Complaint until July 3, 2019. *Doc. 39*. No answers or other responsive pleadings have yet been filed.

Accordingly, Plaintiff's Motion is premature and is therefore DENIED. The Court will issue an Initial Scheduling Order in this matter once responsive pleadings have been filed.

A handwritten signature in black ink, appearing to read 'G.B. Wormuth', is written over a horizontal line.

GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE