

MAY 24 2004

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 04-RB-994 (MJW)

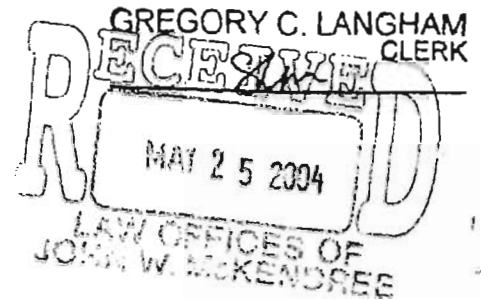
ENOCH LEVI SAMORA, JR.,

Plaintiff(s),

v.

WILLIAM FYFE, et al.,

Defendant(s).



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ORDER SETTING  
SCHEDULING/PLANNING CONFERENCE

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Entered by Magistrate Judge Michael J. Watanabe

The above captioned case has been referred to Magistrate Judge Michael J. Watanabe pursuant to the Order of Reference to United States Magistrate Judge, entered by Judge Robert E. Blackburn on May 17, 2004.

IT IS HEREBY ORDERED that a Scheduling/Planning Conference pursuant to Fed.R.Civ.P.16(b) shall be held on July 14, 2004, commencing at 8:30 a.m., in Courtroom 5, Fifth Floor, Alfred A. Arraj U.S. Courthouse, 901 19th Street, Denver, Colorado. If this date is not convenient for any counsel, he/she should confer with opposing counsel and file a motion to reschedule the conference to a more convenient date.

Absent exceptional circumstances, no request for rescheduling any appearance in this court will be entertained unless a written request is made FIVE (5) business days in advance of the date of appearance.

THE PLAINTIFF SHALL NOTIFY ALL PARTIES WHO HAVE NOT ENTERED AN APPEARANCE OF THE DATE AND TIME OF THE SCHEDULING/PLANNING CONFERENCE.

IT IS ORDERED that counsel for the parties in this case are to hold a pre-scheduling conference meeting and prepare a proposed Scheduling Order in accordance with Fed.R.Civ.P.26(f) as amended, and D.C.COLO.LCivR 26.1 and App. F, on or before 21 days prior to scheduling conference. Pursuant to Fed.R.Civ.P.26(d), as amended, no discovery shall be sought until after the pre-scheduling conference meeting. No later than 5 days prior to the Scheduling/Planning Conference, counsel shall submit their proposed Scheduling Order to the *Magistrate Judge assigned*. In addition, on or before 14 days after the pre-scheduling conference meeting, the parties shall comply with the mandatory disclosure requirements of Fed.R.Civ.P.26(a)(1), as amended.

The parties shall prepare the proposed Scheduling Order in accordance with the form which may be downloaded in richtext format from the forms section of the Court's website

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at [www.co.uscourts.gov](http://www.co.uscourts.gov). Instructions for downloading in richtext format are posted in the forms section of the website. Parties who are *pro se* or do not have access to the internet may visit the Clerk's Office in Alfred A. Arraj U.S. Courthouse, 901 19th Street, Room A-105, Denver, Colorado. (The Clerk's Office Telephone Number is (303) 844-3433.)

IT IS FURTHER ORDERED that at least five (5) days prior to the Scheduling/ Planning Conference, counsel for each party shall submit a brief Confidential Settlement Statement to the Magistrate Judge ONLY, outlining the facts and issues involved in the case, and the possibilities for settlement, including any settlement authority from the client. Confidential settlement statements shall be submitted to the Clerk's Office and marked "Personal and Confidential". Counsel should be prepared to discuss settlement at the Scheduling/Planning Conference and should obtain settlement authority from the client, or have the client available either in person or by telephone.

All out-of-state counsel shall comply with D.C.COLO.LCivR 83.3 prior to the Scheduling/Planning Conference.


In addition to filing an appropriate notice with the clerk's office, counsel must file a copy of any notice of withdrawal, notice of substitution of counsel, or notice of change of counsel's address or telephone number with the clerk of the United States Magistrate Judge assigned to this case.

Please remember that **everyone** seeking entry into the Alfred A. Arraj United States Courthouse will be required to show valid photo identification. See D.C.COLO.LCivR 83.2B. Failure to comply with this requirement will result in denial of entry into the Alfred A. Arraj United States Courthouse.

Except for papers filed by facsimile pursuant to D.C.COLO.LCivR 5.1A., an original and two copies of every paper shall be filed with the Court.

SIGNED AND DATED MAY 24, 2004, at Denver, Colorado.

BY THE COURT:

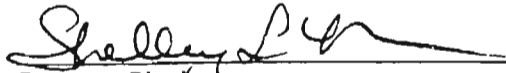
  
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MICHAEL J. WATANABE  
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2004, a copy of the foregoing document was served to the following persons by:

United States mail, proper postage affixed:

John W. McKendree  
Law Offices of John W. McKendree  
1244 Grant Street  
Denver CO 80203

  
Deputy Clerk