

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

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Civil Action: 18-cv-02867-MSK-NYW Date: April 9, 2019  
Courtroom Deputy: Brandy Wilkins FTR: NYW COURTROOM A-502\*

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*Parties*

*Counsel*

FORT COLLINS MENNONITE FELLOWSHIP,  
STEVE RAMER,

**Plaintiffs,**

v.

THE CITY OF FORT COLLINS,  
THE CITY OF FORT COLLINS CITY COUNCIL,  
LAURIE DAVIS,  
ROBERT DAVIS,  
MARY RAY,  
H. STUART MACMILLAN,  
HOLLY JOHNSON,  
LAURA PETRICK,  
DAVE PETRICK,  
KATHERINE ACOTT,  
WALTER HICKMAN,  
PATRICIA DIEHL,  
LISA EATON,  
FERAH AZIZ,  
TARA MCCORMAC,  
JENNIFER PETRIK,  
DENNIS BOOKSTABER,  
TOM HALL,  
STEVE ACKERMAN,  
PAMELA REFVEM,  
MICHAEL MERCER,

**Defendants.**

*Arash Jahanian*  
*David A. Brewster*  
*Brian J. Connolly*

*Andrew D. Ringel*

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**COURTROOM MINUTES/MINUTE ORDER**

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## **SCHEDULING CONFERENCE**

Court in Session: 2:01 p.m.

Appearance of counsel. Present with Messrs. Jahanian, Brewster, and Connolly, is Mr. Thomas MacDonald. No one is present for the individual defendants.

Discussion regarding which defendants are part of this case and the stipulation to be bound by judgment pursuant to Rule 106(a)(4). Defendant Lisa Eaton has been dismissed [#63].  
Discussion regarding filing a motion for clerk's entry of default.

Initial Disclosures, and the documents identified in the Initial Disclosures shall be produced on or before April 12, 2019.

Each side may take up to:

Ten (10) 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; and  
Twenty-five (25) requests for admissions, excluding those used for authentication of documents.

Deadline for joinder of parties and amendment of pleadings: May 24, 2019.

Parties will prepare and file the certified record on or before May 24, 2019.

The Rule 106(a)(4) opening brief is due: July 8, 2019.

The responsive brief is due: August 12, 2019.

The reply brief is due: August 26, 2019.

Parties shall file a Joint Motion for Determination by August 26, 2019.

Deadline to serve interrogatories, requests for production of documents, and requests for admissions: August 15, 2019.

Fact discovery cut-off: September 30, 2019.

All parties shall designate affirmative experts on or before: October 15, 2019.

All parties shall designate rebuttal experts on or before: November 15, 2019.

Expert discovery cut-off: December 31, 2019.

Dispositive motion deadline: January 31, 2020.

Discussion held regarding the best method for providing the record. This court will confer with the presiding judge to determine her practice.

Parties anticipate a three-day bench trial.

Discussion held regarding participation in an Early Neutral Evaluation or Settlement Conference.

**ORDERED: An Early Neutral Evaluation is set for May 6, 2019, at 1:00 p.m. in Courtroom A-502 before Magistrate Judge Nina Y. Wang. Confidential Statements shall be submitted by e-mail in PDF format addressed to Wang\_Chambers@cod.uscourts.gov, on or before May 2, 2019. Each Confidential Statement must contain a specific offer of compromise, including the dollar amount or range each client will accept or pay in settlement and any essential non-economic terms.**

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 the 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 determinable without briefing, 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: 2:21 p.m.

Hearing concluded.

Total time in Court: 00:20

\*To order transcripts of hearings, please contact either AB Court Reporting & Video, Inc. at (303) 629-8534 OR Patterson Transcription Company at (303) 755-4536.