

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
MAGISTRATE JUDGE SCOTT T. VARHOLAK

Courtroom Deputy: Monique Ortiz
Date: January 15, 2019

FTR - Reporter Deck - Courtroom A402
Alfred A. Arraj United States Courthouse

Civil Action No. 18-cv-02074-WYD-STV

Parties:

MASTERPIECE CAKESHOP
INCORPORATED, and
JACK PHILLIPS

Plaintiff,

v.

AUBREY ELENIS
ANTHONY ARAGON
MIGUEL RENE ELIAS
CAROL FABRIZIO
CHARLES GARCIA
RITA LEWIS
JESSICA POCOCK
AJAY MENON
CYNTHIA H. COFFMAN
JOHN HICKENLOOPER

Defendant.

Counsel:

James Campbell
Jacob Warner

Grant Sullivan
Jacquelyn Rich Fredericks
Vincent Morscher

COURTROOM MINUTES/MINUTE ORDER

HEARING: RULE 16(b) SCHEDULING CONFERENCE

Court in session: 11:01 a.m.

Court calls case. Appearance of counsel.

The following will confirm the actions taken and dates set at the scheduling conference held this date:

Expedited Discovery: Please see page 7 of the Scheduling Order entered by the Court.

Deadline for Joinder of Parties/Amendment of Pleadings: **March 15, 2019**

Discovery Cut-off: **June 24, 2019**

Dispositive Motions Deadline: **July 29, 2019**

Parties shall designate affirmative experts **on or before ninety-one (91) days before the discovery cut-off date**, if needed.

Parties shall designate rebuttal experts **on or before thirty-five (35) days before the discovery cut-off date**, if needed.

Limitations on the number of expert witnesses: The parties do not expect to need expert witnesses. Should the need arise, the parties propose that no more than one (1) expert witness per side be allowed.

Each side shall be limited to **ten (10)** depositions, excluding specially-retained experts, absent further leave of court.

Each side shall be limited to **twenty-five (25)** interrogatories, **twenty-five (25)** requests for production, and **twenty-five (25)** requests for admissions, absent further leave of Court.

No **STATUS CONFERENCE** is set at this time. If the Court determines one is necessary, one will be set by Minute Order. The parties may request a status conference by contacting Chambers (303) 335-2365, preferably as a joint conference call, and request that one be set.

Counsel and the parties must notify chambers (303-335-2365) at least **3 business days in advance** of any hearing requiring presentation of documentary evidence, so that the courtroom can be equipped with the appropriate electronic technology.

TRIAL

The parties anticipate a 3-4 day bench trial.

The Honorable Wiley Y. Daniel will set a **Final Pretrial Conference, Trial Preparation Conference** and **Trial** at a future date.

Court advises counsel to review Judge Daniel's practice standards.

Court advises counsel to review his practice standards especially with regard to resolving discovery disputes. Counsel shall call the Court by joint conference call for hearings regarding unresolved discovery disputes prior to filing any discovery motions.

DISCOVERY HEARING is set for **February 5, 2019 at 11:00 a.m.** Parties shall submit a joint statement to Magistrate Judge Varholak's chambers on or before January 29, 2019. The court waives the page limitation for the joint statement.

- Scheduling Order is signed and entered with interlineations on January 15, 2019.

HEARING CONCLUDED.

Court in recess: 11:43 a.m.

Total In-Court Time: 00:42

To order a transcript of this proceeding, contact Patterson Transcription Company at (303) 755-4536 OR AB Court Reporting & Video, Inc. at (303) 629-8534.