

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO
The Honorable Michael E. Romero**

In re:	Case No. MER
Debtor.	Chapter
Plaintiff,	Adversary No. MER
v.	
Defendant.	

**ORDER REGARDING DISCOVERY SCHEDULE PURSUANT TO
FED.R.BANKR.P. 7016 (FED.R.CIV.P. 16(b)) and
NOTICE OF TRIAL SCHEDULING CONFERENCE**

IT IS ORDERED that the provisions of Fed.R.Civ.P. 26 shall apply to this proceeding, subject to the provisions of this Order.

IT IS FURTHER ORDERED that the parties adhere to the following deadlines:

1. **Amended Pleadings**. Motions to amend or supplement pleadings or to join additional parties must be filed by . This deadline pertains to timing only, parties must comply with Fed.R.Civ.P. 15(a).

2. **Expert Witnesses**. Disclosures and written reports required by Fed.R.Civ.P. 26(a)(2) must be made and exchanged on or before . If evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party under Fed.R.Civ.P. 26(a)(2)(B), disclosure must be made on or before .

3. **Duty to Supplement-Sanctions**. All disclosures and responses to discovery shall be timely supplemented pursuant to Fed.R.Civ.P. 26(e). Failure to timely disclose, or incomplete, false or misleading disclosures, may result in Fed.R.Civ.P. 37(c) sanctions.

4. **Discovery**. Factual Discovery must be completed by . Expert Discovery must be completed by . "Completed" means that all depositions are concluded and that responses to written discovery are due on or before the discovery completion date. The special provisions regarding limited and simplified discovery as specified in Local Bankruptcy Rule 7026-2 shall apply in this adversary proceeding.
5. **Discovery Disputes**. All discovery disputes in this matter are subject to this division's "No Written Discovery Motions" procedure, which is set forth under Judges' Info on the Court's website at www.cob.uscourts.gov.
6. **Dispositive Motions**. Dispositive motions shall be filed by . All dispositive motions are subject to L.B.R. 7007-1 and 7056-1.
7. **Status Report**. On or before , the parties shall submit a written report to the Court stating:
 - a. Whether they anticipate filing any motions in limine;
 - b. Whether they anticipate challenging any experts;
 - c. The estimated length of trial.

PLEASE TAKE NOTICE THAT a trial scheduling conference in the within adversary proceeding is hereby scheduled for , **at 1:30 p.m.** in Courtroom C, on a trailing docket in the United States Bankruptcy Court for the District of Colorado, U.S. Custom House, 721 19th Street, Denver, Colorado. Parties wishing to appear by telephone shall call 1-888-684-8852 at the scheduled time of the hearing. The access code for the conference call is 9288499. Please stay on the line until the court operator takes the roll call and the hearing begins. The Court will not contact parties by telephone. If a party has not called in to the conference line or is not present in court, it will be deemed a failure to appear.

FAILURE TO COMPLY WITH THE PROCEDURES AS SET FORTH IN THE LOCAL BANKRUPTCY RULES AND THIS ORDER MAY RESULT IN DENIAL OF THE RELIEF REQUESTED AND/OR SANCTIONS UPON THE PARTY AND COUNSEL FAILING TO COMPLY.

DATED

BY THE COURT:

Michael E. Romero, Chief Judge
United States Bankruptcy Court