

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Kathleen M. Tafoya**

**Civil Action No.** 09-cv-00309-MSK-KMT

FTR - Courtroom C-201

**Date:** January 18, 2012

Deputy Clerk, Nick Richards

SUZANNE SHELL,

Pro Se

Plaintiff,

v.

AMERICAN FAMILY RIGHTS ASSOCIATION,  
LEONARD HENDERSON,  
FAMILIES AT RISK DEFENSE ALLIANCE,  
FRANCINE RENEE CYGAN,  
MARK CYGAN,  
ILLINOIS FAMILY ADVOCACY COALITION,  
GEORGIA FAMILY RIGHTS, INC.,  
DENNIS HINGER,  
NATIONAL ASSOCIATION OF FAMILY  
ADVOCATES,  
CONNECTICUT DCF WATCH,  
ANN DURAND,  
BRENDA SWALLOW,  
KATHY TILLEY,  
RANDALL BLAIR,  
LLOYD PHILLIPS,  
DESERE' CLABO aka HOWARD, and  
UNKNOWN DEFENDANTS DOE 1-15,

Daniel Bernard Slater  
Pro Se

Pro Se

Pro Se

Defendants.

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**COURTROOM MINUTES / MINUTE ORDER**

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**SCHEDULING CONFERENCE**

**Court in Session: 10:52 a.m.**

Court calls the case. Appearances of counsel. Pro Se parties Randall Blair, Leonard Henderson, and Brenda Swallow appear by telephone.

Discussion regarding remaining parties to be served by defendant.

It is **ORDERED**: Plaintiff may file either a dismissal on the unserved defendants or otherwise inform the court with her intentions regarding service on or before February 1, 2012.

It is **ORDERED**: The previous standing order requiring the filing of a motion to file a motion is **LIFTED**. All parties are now allowed to file reasonable motions according to the law.

It is **ORDERED**: The previous standing order eliminating conferral requirements is **LIFTED**. All parties are to comply with the Local Rules regarding conferral. Conferral may be done by email as discussed in court.

The court notes a notice and Motion to Seal is held by the court and has not be loaded onto CM/ECF with Ms. Swallow's change of address.

It is **ORDERED**: Until District Judge Marcia S. Krieger rules on or refers the Motion to Seal Information [Doc. No. 509, filed December 27, 2011] to this court, Ms. Swallow's address for conferral and service will be listed as [breakingfear2u2004@yahoo.com](mailto:breakingfear2u2004@yahoo.com) while Ms. Swallow's mailing address is under restricted access.

Discussion regarding Plaintiff's Motion to File a Motion to Strike Defendant AFRA's Motion to Dismiss [485 & 485-1] filed on December 6, 2011 and, Motion to File a Motion to Amend Complaint [Doc. No. 492, filed December 8, 2011], Plaintiff's Motion to File a Motion to Strike #498 [Doc. No. 503, filed December 20, 2011], and Plaintiff's Motion to File a Motion to Strike Defendant Swallow's Motion to Dismiss [#506 & 507] filed on December 27, 2011 and, Motion to File a Motion to Amend Complaint [Doc. No. 508, filed December 28, 2011].

It is **ORDERED**: Plaintiff's Motion to File a Motion to Strike #498 [503] is **DENIED**.

It is **ORDERED**: Plaintiff's Motion to File a Motion to Strike Defendant Swallow's Motion to Dismiss [508] is **DENIED**.

It is **ORDERED**: Plaintiff's Motion to File a Motion to Strike Defendant AFRA's Motion to Dismiss [492] is **GRANTED IN PART AND DENIED IN PART**. The motion is **GRANTED** in that plaintiff may now file a Motion to Strike. To the extent plaintiff wishes to file the motion, the Motion to Strike shall be filed by plaintiff on or before February 1, 2012. The motion is **DENIED** as to filing of an amended complaint.

It is **ORDERED**: Any motion containing a request to file an amended complaint is **DENIED**. That issue has already been decided by the District Court.

THE FOLLOWING WILL CONFIRM THE ACTIONS TAKEN AND DATES SET AT THE SCHEDULING CONFERENCE HELD THIS DATE.

Initial disclosures will be filed by both sides on or before February 3, 2012.

**DEADLINES:**

Discovery Cut-off: September 18, 2012

Dispositive Motions Deadline: December 18, 2012

Each side shall be limited to 2 expert witnesses.

Disclosure of Affirmative Experts: June 18, 2012

Disclosure of Rebuttal Experts: July 18, 2012

Written Discovery shall be served no later than 33 days prior to the discovery cutoff.

Each party shall be limited to 25 interrogatories, 25 requests for admission, and 25 requests for documents.

Each party shall be limited to 10 depositions, including experts. No deposition shall exceed 7 hours in length without prior agreement or a court order.

**NO SETTLEMENT CONFERENCE** will be set at this time.

**FINAL PRETRIAL CONFERENCE** will be set by District Judge Marcia S. Krieger.

**TRIAL:**

Trial Preparation Conference and trial dates will be set by District Judge Marcia S. Krieger.

It is **ORDERED:** The stay on discovery is **LIFTED**. Discovery may commence beginning at the conclusion of this hearing.

It is **ORDERED:** Plaintiff may file a response to Motion to Dismiss Defendant American Family Rights Association and for Sanctions Against Plaintiff Pursuant to Rules 12(B)(2) and 12 (B)(6) [Doc. No. 485, filed December 6, 2011] on or before February 1, 2012.

Discussion regarding written depositions.

Discussion regarding spoliation of electronic evidence. The court directs the parties to the Sedona Principles regarding electronic document production.

Discussion regarding Protective Orders. The court directs the parties to view *Gillard v. Boulder Valley School District 196 F.R.D. 382* for direction on a Protective Order.

Parties are directed to [www.cod.uscourts.gov](http://www.cod.uscourts.gov) and shall fully comply with the procedures of the judicial officer assigned to try this case on the merits.

**Court in recess: 12:16 p.m.**

Total In-Court Time: 01:24 Hearing concluded.

\*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.