

**U.S. District Court
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:10-cv-00829-REB-KLM**

Kyle et al v. City & County of Denver et al
Assigned to: Judge Robert E. Blackburn
Referred to: Magistrate Judge Kristen L. Mix
Cause: 42:12101 Americans With Disabilities Act (ADA)

Date Filed: 04/13/2010
Date Terminated: 05/31/2011
Jury Demand: Defendant
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

Baylin Kyle

represented by **Amy Farr Robertson**
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Plaintiff

Rudy Salazar

represented by **Amy Farr Robertson**
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Andrew Christopher Montoya
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Carrie Ann Lucas
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Kevin William Williams
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Laura Ellen Schwartz
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Paula Dee Greisen
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ATTORNEY TO BE NOTICED

Plaintiff

Colorado Cross-Disability Coalition
a Colorado corporation

represented by **Amy Farr Robertson**
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Andrew Christopher Montoya
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V.

Defendant

represented by

City & County of Denver
including its Sheriff's Department

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Defendant

Alvin LaCabe
in his official capacity as Manager of
Public Safety for the City and County of
Denver

represented by **Thomas G. Bigler**
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ATTORNEY TO BE NOTICED

Defendant

William Lovinger
in his official capacity as the Director of
Corrections and Undersheriff for the City
& County of Denver

represented by **Thomas G. Bigler**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Elias Diggins
in his official capacity as Division Chief
for the County Jail Division for the City
& County of Denver

represented by **Thomas G. Bigler**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/13/2010	<u>1</u>	COMPLAINT against City & County of Denver, Colorado Cross-Disability Coalition, Elias Diggins, Alvin LaCabe, William Lovinger, Rudy Salazar (Filing fee \$ 350, Receipt Number 27274) Summons Issued, filed by Baylin Kyle. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Receipt)(jak,) (Entered: 04/14/2010)
04/15/2010	<u>2</u>	MEMORANDUM RETURNING CASE for reassignment by Senior District Judge Miller. (sah,) (Entered: 04/15/2010)
04/15/2010	<u>3</u>	LETTER REASSIGNING CASE. Case reassigned to Judge Robert E. Blackburn for all further proceedings. Judge Walker D. Miller no longer assigned to the case. (sah,) (Entered: 04/15/2010)
04/16/2010	<u>4</u>	ORDER REFERRING CASE to Magistrate Judge Kristen L. Mix, for non-dispositive matters, by Judge Robert E. Blackburn on 4/16/10. (rebsec,) (Entered: 04/16/2010)
04/16/2010	<u>5</u>	NOTICE of Entry of Appearance by Paula Dee Greisen on behalf of All Plaintiffs (Greisen, Paula) (Entered: 04/16/2010)
04/19/2010	<u>6</u>	ORDER SETTING SCHEDULING/PLANNING CONFERENCE: Scheduling Conference set for 6/21/2010 10:00 AM in Courtroom C204 before Magistrate Judge Kristen L. Mix. by Magistrate Judge Kristen L. Mix on 4/19/2010. (Attachments: # <u>1</u> Attach 1, # <u>2</u> Attach 2)(klmcd) (Entered: 04/19/2010)
04/19/2010	<u>7</u>	NOTICE of Entry of Appearance by Amy Farr Robertson on behalf of Colorado Cross-Disability Coalition, Baylin Kyle, Rudy Salazar (Robertson, Amy) (Entered: 04/19/2010)
04/19/2010	<u>8</u>	NOTICE of Entry of Appearance by Laura Ellen Schwartz on behalf of All Plaintiffs (Schwartz, Laura) (Entered: 04/19/2010)
04/20/2010	<u>9</u>	NOTICE of Entry of Appearance by Kevin William Williams on behalf of Colorado Cross-Disability Coalition, Baylin Kyle, Rudy Salazar (Williams, Kevin) (Entered: 04/20/2010)

05/28/2010	<u>10</u>	SUMMONS Returned Executed by Baylin Kyle, Rudy Salazar, Colorado Cross-Disability Coalition. City &County of Denver served on 5/20/2010, answer due 6/10/2010. (Lucas, Carrie) (Entered: 05/28/2010)
05/28/2010	<u>11</u>	SUMMONS Returned Executed by Baylin Kyle, Rudy Salazar, Colorado Cross-Disability Coalition. Elias Diggins served on 5/20/2010, answer due 6/10/2010. (Lucas, Carrie) (Entered: 05/28/2010)
05/28/2010	<u>12</u>	SUMMONS Returned Executed by Baylin Kyle, Rudy Salazar, Colorado Cross-Disability Coalition. Alvin LaCabe served on 5/20/2010, answer due 6/10/2010. (Lucas, Carrie) (Entered: 05/28/2010)
05/28/2010	<u>13</u>	SUMMONS Returned Executed by Baylin Kyle, Rudy Salazar, Colorado Cross-Disability Coalition. William Lovinger served on 5/20/2010, answer due 6/10/2010. (Lucas, Carrie) (Entered: 05/28/2010)
06/09/2010	<u>14</u>	ANSWER to <u>1</u> Complaint, by City &County of Denver, Elias Diggins, Alvin LaCabe, William Lovinger.(Bigler, Thomas) (Entered: 06/09/2010)
06/10/2010	<u>15</u>	<i>Amended</i> ANSWER to <u>1</u> Complaint, by City &County of Denver, Elias Diggins, Alvin LaCabe, William Lovinger.(Bigler, Thomas) (Entered: 06/10/2010)
06/16/2010	<u>16</u>	Proposed Scheduling Order by Plaintiffs Colorado Cross-Disability Coalition, Baylin Kyle, Rudy Salazar. (Robertson, Amy) (Entered: 06/16/2010)
06/21/2010	<u>17</u>	TRIAL PREPARATION CONFERENCE ORDER. Trial Preparation Conference set for 4/8/2011 at 03:00 PM in Courtroom A1001 before Judge Robert E. Blackburn. Five (5) day Jury Trial set for 4/25/2011 08:30 AM in Courtroom A1001 before Judge Robert E. Blackburn. By Judge Robert E. Blackburn on 6/21/10. (rebsec,) (Entered: 06/21/2010)
06/21/2010	<u>18</u>	Minute Entry for proceedings held before Magistrate Judge Kristen L. Mix: Scheduling Conference held on 6/21/2010; Plaintiffs shall identify in writing by bates number and subject the documents produced by defendants in conjunction with Ulibarri v. City and County of Denver, 07-cv-1814-WDM-MJW, which Plaintiffs intend to use in this case. Defendants' right to object to such documents shall be preserved. Discovery due by 1/31/2011. Dispositive Motions due by 2/28/2011. Settlement Conference set for 9/2/2010 01:30 PM in Courtroom C204 before Magistrate Judge Kristen L. Mix. Updated Confidential Settlement Statement due on or before 8/26/10. Final Pretrial Conference set for 3/16/2011 09:30 AM in Courtroom C204 before Magistrate Judge Kristen L. Mix. Trial Preparation Conference set for 4/8/2011 at 03:00 PM in Courtroom A1001 before Judge Robert E. Blackburn. Jury Trial set for 4/25/2011 08:30 AM in Courtroom A1001 before Judge Robert E. Blackburn. (Court Reporter FTR - Monique Wiles) (Attachments: # <u>1</u> CSS Instructions) (klmcd) (Entered: 06/22/2010)
06/21/2010	<u>19</u>	SCHEDULING ORDER, by Magistrate Judge Kristen L. Mix on 6/21/2010. (klmcd,) (Entered: 06/22/2010)
07/28/2010	<u>20</u>	MINUTE ORDER. A telephonic discovery hearing is set for 08/05/2010 at 3:30 p.m.. By Magistrate Judge Kristen L. Mix on 07/28/2010. (sah,) (Entered: 07/28/2010)
08/05/2010	<u>21</u>	Minute Entry for Telephonic Discovery Hearing held before Magistrate Judge Kristen L. Mix on 8/5/2010; This matter is before the Court regarding Defendant's Motion for Protective Order relating to Plaintiff's Notice of Entry on Land. Defendant's Motion for Protective Order is GRANTED IN PART and DENIED IN PART as set forth in attached document. The Settlement Conference set for 9/2/2010 at 1:30 p.m. is VACATED and RESET to 11/12/2010 01:30 PM in Courtroom C204 before Magistrate Judge Kristen L. Mix. Parties shall submit Updated Confidential Settlement Statements on or before 11/5/2010. The Court extends the expert disclosure deadlines as follows: (A) Parties shall designate affirmative experts on or before 11/30/2010. Parties shall designate rebuttal experts on or before 12/30/2010. Discovery Cut-off will remain 1/31/2011. (Court Reporter FTR - Monique Wiles) (klmcd) (Entered: 08/06/2010)
08/19/2010	<u>22</u>	Stipulated MOTION for Protective Order by Plaintiffs Colorado Cross-Disability Coalition, Baylin Kyle, Rudy Salazar. (Attachments: # <u>1</u> Proposed Order (PDF

		Only))(Robertson, Amy) (Entered: 08/19/2010)
08/19/2010	<u>23</u>	MEMORANDUM regarding <u>22</u> Stipulated MOTION for Protective Order filed by Baylin Kyle, Rudy Salazar, Colorado Cross–Disability Coalition.Motions referred to Magistrate Judge Kristen L. Mix by Judge Robert E. Blackburn on 8/19/10. TEXT ONLY ENTRY – NO DOCUMENT ATTACHED(rebsec,) (Entered: 08/19/2010)
08/20/2010	<u>24</u>	MINUTE ORDER: <u>22</u> Stipulated Motion for Entry of Protective Order is GRANTED, by Magistrate Judge Kristen L. Mix on 8/20/2010.(klmcd) (Entered: 08/20/2010)
08/20/2010	<u>25</u>	PROTECTIVE ORDER, by Magistrate Judge Kristen L. Mix on 8/20/2010. (klmcd) (Entered: 08/20/2010)
11/10/2010	<u>26</u>	NOTICE of Entry of Appearance by Andrew Christopher Montoya on behalf of Colorado Cross–Disability Coalition, Baylin Kyle, Rudy Salazar (Montoya, Andrew) (Entered: 11/10/2010)
11/12/2010	<u>27</u>	Minute Entry for Settlement Conference proceedings held before Magistrate Judge Kristen L. Mix on 11/12/2010; No settlement was reached as to any claims in this action. Another Settlement Conference is set for 1/14/2011 09:00 AM in Courtroom C204 before Magistrate Judge Kristen L. Mix. (klmcd) (Entered: 11/15/2010)
11/15/2010	<u>28</u>	Joint MOTION to Continue <i>Deadlines</i> by Plaintiffs Colorado Cross–Disability Coalition, Baylin Kyle, Rudy Salazar. (Robertson, Amy) (Entered: 11/15/2010)
11/29/2010	<u>29</u>	ORDER. The Joint Motion For Continuance <u>28</u> filed 11/15/2010, is GRANTED. The Trial Preparation Conference set for 04/08/2011, and the jury trial set to commence 04/25/2011, are VACATED and are CONTINUED pending further order of court. By Judge Robert E. Blackburn on 11/29/2010.(sah,) (Entered: 11/29/2010)
11/30/2010	<u>30</u>	MINUTE ORDER. This matter is before the Court sua sponte. Given that the trial date has been continued <u>29</u> , the Court extends the following case deadlines: Expert Disclosure Deadline 04/29/2011; Deadline to Serve Written Discovery 05/27/2011; Rebuttal Expert Disclosure Deadline 05/31/2011; Discovery Deadline 06/30/2011; Dispositive Motions Deadline 08/01/2011. By Magistrate Judge Kristen L. Mix on 11/30/2010. (sah,) (Entered: 11/30/2010)
01/14/2011	<u>31</u>	MINUTE ORDER. The Settlement Conference held today is continued to 2/14/2011 at 9:00 a.m. in Courtroom C–204. By Magistrate Judge Kristen L. Mix on 1/14/2011. (sah,) (Entered: 01/14/2011)
01/14/2011	<u>32</u>	Minute Entry for Settlement Conference proceedings held before Magistrate Judge Kristen L. Mix on 1/14/2011; No settlement was reached as to any claims in this action. Another Settlement Conference is set for 2/14/2011 at 9:00 a.m. Updated Confidential Settlement Statements are due on or before 2/11/2011. (klmcd) (Entered: 01/14/2011)
02/14/2011	<u>33</u>	Minute Entry for Settlement Conference proceedings held before Magistrate Judge Kristen L. Mix on 2/14/2011; No settlement was reached as to any claims in this action. Another Settlement Conference set for 3/3/2011 08:30 AM before Magistrate Judge Kristen L. Mix. (klmcd) (Entered: 02/14/2011)
02/14/2011	<u>34</u>	MINUTE ORDER. The Settlement Conference held today is continued to 3/3/2011 at 8:30 a.m. in Courtroom C–204. By Magistrate Judge Kristen L. Mix on 2/14/2011. (sah,) (Entered: 02/14/2011)
03/03/2011	<u>35</u>	Minute Entry for Settlement Conference held before Magistrate Judge Kristen L. Mix on 3/3/2011; A settlement was reached as to all claims in this action. The parties shall file a stipulated motion to dismiss on or before 7/1/2011. (klmcd) (Entered: 03/03/2011)
03/04/2011	<u>36</u>	MINUTE ORDER. This matter is before the Court sua sponte. Due to the settlement reached by the parties <u>35</u> , the Final Pretrial Conference set for 3/16/2011 at 9:30 a.m. is vacated. By Magistrate Judge Kristen L. Mix on

		3/4/2011. (sah,) (Entered: 03/04/2011)
05/27/2011	<u>37</u>	STIPULATION of Dismissal of Case <i>with Prejudice</i> by Plaintiffs Colorado Cross-Disability Coalition, Baylin Kyle, Rudy Salazar. (Robertson, Amy) (Entered: 05/27/2011)
05/31/2011	<u>38</u>	ORDER OF DISMISSAL with Prejudice. Stipulation of Dismissal With Prejudice <u>37</u> is APPROVED. Parties to pay their own attorney fees and costs, by Judge Robert E. Blackburn on 5/31/11. (lsw,) Modified on 6/1/2011 to clarify title(lsw,). (Entered: 05/31/2011)
06/01/2011	39	Docket Annotation re: <u>38</u> Order Dismissing Case. Modified on 6/1/2011 to clarify title(lsw,). TEXT ONLY ENTRY – NO DOCUMENT ATTACHED (lsw,) (Entered: 06/01/2011)