

CM/ECF Mobile - COD

Case Number or Last, First

152 Docket Entries for Case 1:17-cv-01260-RBJ-GPG

<u>1</u>	05/24/2017 NOTICE OF REMOVAL by THE UNITED STATES OF AMERICA, through its agency,the Bureau of Land Management, a division of the United States Department of Interior from Garfield County Court, Case Number 2016CV030068., filed by THE UNITED STATES OF AMERICA, through its agency,the Bureau of Land Management, a division of the United States Department of Interior. (Attachments: # <u>1</u> Attachment to civil cover sheet, # <u>2</u> Supplemental civil cover sheet, # <u>3</u> Notice of Removal, # <u>4</u> Exhibit 1 to Notice of Removal, # <u>5</u> Exhibit 2 to Notice of Removal, # <u>6</u> Exhibit 3 to Notice of Removal, # <u>7</u> Exhibit 4 to Notice of Removal, # <u>8</u> Exhibit 5 to Notice of Removal, # <u>9</u> Exhibit 6 to Notice of Removal, # <u>10</u> Exhibit 7 to Notice of Removal, # <u>11</u> Exhibit 8 to Notice of Removal, # <u>12</u> Exhibit 9 to Notice of Removal)(Kellogg, Ian)
<u>2</u>	05/24/2017 FIRST AND FINAL NOTICE TO ATTORNEY(S) IN REMOVED, TRANSFERRED OR OTHER CASES: Pursuant to D.C.COLO.LCivR 11.1(a), an attorney must be a member of the U.S. District Court's bar to make an appearance and receive notice in any case before the court. The attorney records of the court reflect that the following counsel is a member of the U.S. District Court's Bar, but has not entered an appearance in this case: Sam D. Starritt; Robyn W. Kube; Geoffrey P. Anderson; and Tari L. Williams . In order to make an appearance in this case and receive any further notice regarding this case, counsel must file an entry of appearance in this case. Absent any Notice of Entry of Appearance filed, no further direct notices to counsel will be sent. Text only entry. (agarc,)
<u>3</u>	05/24/2017 Case assigned to Judge Wiley Y. Daniel and drawn to Magistrate Judge Nina Y. Wang. Text Only Entry. (agarc,)
<u>4</u>	05/24/2017 COMPLAINT for Declaratory Judgment, Preliminary and Permanent Injunctive Relief against Board of County Commissioners for the County of Garfield, The, filed by #22 Enterprises, LLC. (agarc,)
<u>5</u>	05/24/2017 First AMENDED COMPLAINT for Declaratory Judgment, Preliminary and Permanent Injunctive Relief against Board of County Commissioners for the County of Garfield, The, filed by #22 Enterprises, LLC.(agarc,)
<u>6</u>	05/24/2017 STATE COURT ORDER on Defendant's Motion to Dismiss, by Garfield County District Court Judge Anne K. Norrdin 4/17/2017. (agarc,)
<u>7</u>	05/24/2017 Second AMENDED COMPLAINT for Declaratory Judgment, Preliminary and Permanent Injunctive Relief against The Board of County Commissioners for the County of Garfield, The Bureau of Land Management, and USA, filed by #20 Enterprises, LLC, and #22 Enterprises, LLC.(agarc,)
<u>8</u>	05/24/2017 ANSWER and Counterclaims to <u>7</u> Second Amended Complaint COUNTERCLAIM against #20 Enterprises, LLC, #22 Enterprises, LLC, The Bureau of Land Management, and USA by The Board of County Commissioners for the County of Garfield.(agarc,)
<u>9</u>	05/25/2017 Magistrate Judge consent form issued pursuant to 28 U.S.C. 636(c). (agarc,)
<u>10</u>	05/25/2017 NOTICE of Entry of Appearance by Sam D. Starritt on behalf of #20 Enterprises, LLC, #22 Enterprises, LLCAttorney Sam D. Starritt added to party #20 Enterprises, LLC(pty:pla), Attorney Sam D. Starritt added to party #22 Enterprises, LLC(pty:pla) (Starritt, Sam)

Pages: 18, Cost: 1.80

Full Site

<u>11</u>	05/25/2017 Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re <u>7</u> Amended Complaint, <u>8</u> Answer to Amended Complaint, Counterclaim <i>and for a Uniform Response Deadline</i> by Defendants Bureau of Land Management, The, USA. (Kellogg, Ian)
<u>12</u>	05/26/2017 NOTICE of Entry of Appearance - <i>Geoffrey P. Anderson</i> by Geoffrey P. Anderson on behalf of Board of County Commissioners for the County of Garfield, TheAttorney Geoffrey P. Anderson added to party Board of County Commissioners for the County of Garfield, The(pty:dft), Attorney Geoffrey P. Anderson added to party Board of County Commissioners for the County of Garfield, The(pty:cc) (Anderson, Geoffrey)
<u>13</u>	05/26/2017 NOTICE of Entry of Appearance - <i>Joshua D. McMahon</i> by Joshua David McMahon on behalf of Board of County Commissioners for the County of Garfield, TheAttorney Joshua David McMahon added to party Board of County Commissioners for the County of Garfield, The(pty:dft), Attorney Joshua David McMahon added to party Board of County Commissioners for the County of Garfield, The(pty:cc) (McMahon, Joshua)
<u>14</u>	05/30/2017 MEMORANDUM RETURNING CASE by Judge Wiley Y. Daniel. (rkeec)
15	05/30/2017 CASE REASSIGNED pursuant to <u>14</u> Memorandum Returning Case. This case is randomly reassigned to Magistrate Judge Michael J. Watanabe. All future pleadings should be designated as 17-cv-01260-MJW. (Text Only Entry) (rkeec)
<u>16</u>	05/30/2017 Magistrate Judge consent form issued pursuant to D.C.COLO.LCivR 40.1, direct assignment of civil actions to full time magistrate judges. (rkeec)
<u>17</u>	05/30/2017 NOTICE of Entry of Appearance by Robyn Wilcox Kube on behalf of #20 Enterprises, LLC, #20 Enterprises, LLC, #22 Enterprises, LLC, #22 Enterprises, LLCAttorney Robyn Wilcox Kube added to party #20 Enterprises, LLC(pty:cd), Attorney Robyn Wilcox Kube added to party #20 Enterprises, LLC(pty:pla), Attorney Robyn Wilcox Kube added to party #22 Enterprises, LLC(pty:cd), Attorney Robyn Wilcox Kube added to party #22 Enterprises, LLC(pty:pla) (Kube, Robyn)
<u>18</u>	06/01/2017 ORDER Setting Scheduling/Planning Conference and Setting Deadline for Filing of Consent/Non-Consent Form, by Magistrate Judge Michael J. Watanabe on 6/01/2017. Consent/Non-Consent Form due on or before 8/1/2017. Scheduling/Planning Conference set for 8/15/2017 10:30 AM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe. (slibi,)
<u>19</u>	06/01/2017 MINUTE ORDER granting <u>11</u> Unopposed Motion for Extension of Time and for Uniform Deadline to Respond to All Claims, by Magistrate Judge Michael J. Watanabe on 6/01/2017. The United States of America, through it agency, the Bureau of Land Management, shall respond to (1) the Second Amended Complaint (Docket No. 7) and (2) the Answer and Counterclaims of Defendant Board of County Commissioners for the County of Garfield (Docket No. 8) on or before July 14, 2017. (slibi,)
<u>20</u>	06/02/2017 NOTICE of Entry of Appearance <i>Tari L. Williams</i> by Tari L. Williams on behalf of Board of County Commissioners for the County of Garfield, TheAttorney Tari L. Williams added to party Board of County Commissioners for the County of Garfield, The(pty:dft), Attorney Tari L. Williams added to party Board of County Commissioners for the County of Garfield, The(pty:cc) (Williams, Tari)
<u>21</u>	06/05/2017 REPLY to Counterclaim (Defendant Board of County Commissioners of Garfield County) (Garfield County Case No. 2016CV030068) by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Starritt, Sam)
<u>22</u>	06/07/2017 NOTICE of Entry of Appearance <i>Katharine A. Johnson</i> by Katharine Anne Johnson on behalf of Board of County Commissioners for the County of Garfield, TheAttorney Katharine Anne Johnson added to party Board of County Commissioners for the County of Garfield, The(pty:dft)

<u>23</u>	07/14/2017 ANSWER to <u>7</u> Amended Complaint, by Bureau of Land Management, The, USA.(Kellogg, Ian)
<u>24</u>	07/14/2017 ANSWER/REPLY to <u>8</u> Answer to Amended Complaint, Counterclaim by Bureau of Land Management, The, USA.(Kellogg, Ian)
<u>25</u>	08/01/2017 CONSENT to Jurisdiction of Magistrate Judge by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC All parties do not consent.. (Starritt, Sam)
26	08/01/2017 CASE REASSIGNED. All parties do not consent. This case is randomly reassigned to Chief Judge Marcia S. Krieger. All future pleadings should be designated as 17-cv-01260-MSK. (Text Only Entry) (slibi,)
27	08/01/2017 ORDER REFERRING CASE to Magistrate Judge Michael J. Watanabe: IT IS ORDERED that pursuant to 28 U.S.C. 636(b)(1)(A) and (B) and FED. R. CIV. P. 72(a) and (b), this matter is referred to the assigned United States Magistrate Judge to:(1)Convene a scheduling conference under FED. R. CIV. P. 16(b), enter a Scheduling Order meeting the requirements of D.C.COLO.LCivR 16.2, enter such orders as appropriate to enforce the Scheduling Order, and resolve discovery matters; (2)ADR: Court sponsored alternative dispute resolution is governed by D.C.COLO.LCivR 16.6. Early Neutral Evaluation is approved. On the informal request of the magistrate judge or on the request of the parties by motion, the Court may direct the parties to engage in a settlement conference conducted by the magistrate judge if the parties have engaged in an Early Neutral Evaluation and are unable to afford or otherwise attain private settlement assistance;(3)Hear and determine referred matters in accordance with 28 U.S.C. 636(b)(1)(A) and (B). by Chief Judge Marcia S. Krieger on 8/1/17. Text Only Entry (msklc2,)
28	08/03/2017 ORDER: Due to the situs of the affected property within the Western Slope, and with the consent of both Magistrate Judges Watanabe and Gallagher, it is appropriate that this case be reassigned from Magistrate Judge Watanabe to Magistrate Judge Gallagher for pretrial supervision. Accordingly, the Clerk of the Court shall designate Magistrate Judge Gallagher as the assigned Magistrate Judge for all further proceedings in this matter and terminate the assignment to Magistrate Judge Watanabe. By Chief Judge Marcia S. Krieger on 8/3/17. Text Only Entry (msklc2,)
<u>29</u>	08/03/2017 MINUTE ORDER Scheduling Conference set on August 15, 2017 at 10:30 a.m. before Magistrate Judge Watanabe is VACATED, by Magistrate Judge Michael J. Watanabe on 8/03/2017. (slibi,)
30	08/04/2017 MINUTE ORDER Scheduling Conference set for 9/1/2017 10:30 AM in Room 323 (Grand Junction) before Magistrate Judge Gordon P. Gallagher. A Scheduling Conference is set in GRAND JUNCTION, Colorado at the Wayne Aspinall Federal Building - United States Courthouse, 400 Rood Avenue, Grand Junction, CO 81501 before U.S. Magistrate Judge Gordon P. Gallagher. The parties shall comply with the Instructions to Scheduling Order for U.S. Magistrate Judge Gordon P. Gallagher which can be found at www.cod.uscourts.gov . Parties concerned regarding travel time and expense to Grand Junction for appearances before the Magistrate Judge are referred to this Magistrate Judges policy in that regard which can be found at the above website. It is ORDERED that the Defendants shall notify all parties who have not entered an appearance of the date and time of the Scheduling Conference. by Magistrate Judge Gordon P. Gallagher on 8/4/17. Text Only Entry (ggall,)
<u>31</u>	08/17/2017 Unopposed MOTION for Leave to Appear <i>by Telephone at Scheduling Conference</i> by Defendants Bureau of Land Management, The, USA. (Kellogg, Ian)
32	08/17/2017 ORDER granting <u>31</u> Motion for Leave to Appear by telephone before U.S. Magistrate Judge Gordon P. Gallagher. The parties shall contact the Court at (970) 241-8932 ext. 8225 at the time of the hearing. The first party requesting to appear by telephone shall bear the responsibility of

	conference multiple parties so all parties are to be on the line at the time the Court is contacted. by Magistrate Judge Gordon P. Gallagher on August 18, 2017. Text Only Entry (gpgsec)
<u>33</u>	08/28/2017 Proposed Scheduling Order by Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC, Counter Defendant #22 Enterprises, LLC. (Starritt, Sam)
<u>34</u>	08/30/2017 Unopposed MOTION for Leave to <i>Appear by Telephone</i> 30 Minute Order,,, by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (Anderson, Geoffrey)
35	08/31/2017 MEMORANDUM regarding <u>34</u> Unopposed MOTION for Leave to <i>Appear by Telephone</i> 30 Minute Order,,, filed by Board of County Commissioners for the County of Garfield, The. Motions referred to Magistrate Judge Gordon P. Gallagher by Chief Judge Marcia S. Krieger on 8/31/17. Text Only Entry (msklc2,)
36	08/31/2017 ORDER granting <u>34</u> Motion for Leave to Appear by Telephone. At the time of the hearing, those parties wishing to appear via telephone shall call the courtroom at (970)241-8932, Extension 8225. The parties appearing via telephone must coordinate among themselves so that ALL parties appearing via telephone are on the same conference call at the time that the call is placed to the courtroom. The Court does not have the ability to conference multiple parties so all parties are to be on the line at the time the Court is contacted. by Magistrate Judge Gordon P. Gallagher on August 31, 2017. Text Only Entry (gpgsec)
37	09/01/2017 MINUTE ENTRY for proceedings held before Magistrate Judge Gordon P. Gallagher: Scheduling Conference held on 9/1/2017. Appearing for Plaintiffs, in person, were: Sam Starritt; Robyn Kube; Jon Burtard. Appearing for Defendant Garfield County were: Tari Williams and Joshua McMahon, in person, and Geoffery Anderson, via telephone. Appearing for Defendant U.S. Bureau of Land Management was: Ian Kellogg, via telephone. Scheduling Order discussed and entered as an Order of the Court. Status Conference set for 6/4/2018 10:00 AM in Room 323 (Grand Junction) before Magistrate Judge Gordon P. Gallagher. FTR: Grand Junction. (gpgsec) Text Only Entry
38	09/04/2017 MINUTE ORDER: NOTICE TO PARTIES - Magistrate Judge Gordon P. Gallagher hereby notifies the parties to this case as follows: As a part-time magistrate judge, I maintain a private law practice Grand Junction, Colorado. I have active cases pending in the 21st Judicial District for the State of Colorado. Some of those cases are assigned to Mesa County District Court, Division 9, the Honorable Lance Timbreza presiding. Judge Timbreza is the spouse of Plaintiff's counsel in this action, Sam Starritt, Esq. I do not believe this creates a conflict nor that it warrants my recusal in this action. However, I file this notice in the interest of full disclosure. by Magistrate Judge Gordon P. Gallagher on 9/4/17. Text Only Entry (ggall,)
<u>39</u>	09/05/2017 SCHEDULING ORDER by Magistrate Judge Gordon P. Gallagher on 9/5/2017. Discovery due by 6/15/2018. Dispositive Motions due by 6/15/2018. (tshe,)
<u>40</u>	09/11/2017 TRIAL PREPARATION ORDER by Chief Judge Marcia S. Krieger on 9/11/17. (dkals,)
<u>41</u>	02/13/2018 MOTION to Amend/Correct/Modify <i>Scheduling Order</i> by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Attachments: # <u>1</u> Proposed Order (PDF Only) Order to Amend Scheduling Order to Extend Time to Disclose Rebuttal Expert Witnesses)(Starritt, Sam)
42	02/14/2018 MEMORANDUM regarding <u>41</u> MOTION to Amend/Correct/Modify <i>Scheduling Order</i> filed by #20 Enterprises, LLC, #22 Enterprises, LLC. Motions referred to Magistrate Judge Gordon P. Gallagher by Chief Judge Marcia S. Krieger on 2/14/18. Text Only Entry (msklc2,)
43	02/14/2018 ORDER granting <u>41</u> Motion to Amend/Correct/Modify: finding good cause for the reasons

<u>44</u>	04/25/2018 MOTION to Strike <i>Surrebuttal Expert Report of James A. Beckwith (Opposed)</i> by Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC, Counter Defendant #22 Enterprises, LLC. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2)(Starritt, Sam)
45	04/26/2018 MEMORANDUM regarding <u>44</u> MOTION to Strike <i>Surrebuttal Expert Report of James A. Beckwith (Opposed)</i> filed by #20 Enterprises, LLC, #22 Enterprises, LLC. Motions referred to Magistrate Judge Gordon P. Gallagher by Chief Judge Marcia S. Krieger on 4/26/18. Text Only Entry (msklc2,)
<u>46</u>	04/27/2018 MOTION to Exclude <i>Expert Testimony of James A. Beckwith (Opposed)</i> by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3) (Starritt, Sam)
47	04/27/2018 MINUTE ENTRY for proceedings held before Magistrate Judge Gordon P. Gallagher: Informal Discovery Dispute Hearing held on 4/27/2018. With regard to the scheduled deposition on Monday, April 30, 2018, of one of Garfield County's designated Rule 30(b)(6) witnesses, James Beckwith, the attorneys for #20 and #22 are not required to use this deposition to depose Mr. Beckwith as an expert as well as a 30(b)(6) witness - unless the parties later mutually agree. The Defense motion to: quash the Rule 30(b)(6) deposition of Mr. Beckwith on April 30, 2018, or to limit Plaintiff to only that particular deposition for both its fact and expert interrogation, is denied. The Court relied upon: parties' arguments; submitted discovery table and exhibits; and relevant law. Appearances (all via telephone): For #20 and #22: Sam Starritt; Robyn Kube; and Jon Burtard; for Garfield County: Geoffrey Anderson and Joshua McMahon; and for USA/Dept of Interior/BLM: Ian Kellogg. FTR: Grand Junction. (pgpgsec) Text Only Entry
48	04/30/2018 ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: <u>46</u> MOTION to Exclude <i>Expert Testimony of James A. Beckwith (Opposed)</i> filed by attorney Sam D. Starritt. The document was scanned and not converted directly to portable document format (PDF). DO NOT REFILE THE DOCUMENT. Action to take - future documents must be filed pursuant to D.C.COLO.LCivR 5.1(a) and 1.3(f) of the Electronic Case Filing Procedures (Civil cases). (Text Only Entry) (dkals,)
49	04/30/2018 ORDER: The Court denies, in part, the Plaintiffs' Motion to Exclude Expert Testimony <u>46</u> . Part B of that motion argues that Mr. Beckwith's opinions are insufficiently reliable. That argument invokes the principles of Fed. R. Evid. 702. This Court has specific procedures by which parties must raise objections under Rule 702, noted in the Trial Preparation Order <u>40</u> entered in this case and found at http://www.cod.uscourts.gov/Portals/0/Documents/Judges/MSK/Daubert-702_2014_revision.pdf . Part B of the Plaintiffs' motion does not comply with those procedures and is therefore denied without prejudice. The Court will consider Part A of the Plaintiffs' motion at the appropriate time. by Chief Judge Marcia S. Krieger on 4/30/18. Text Only Entry (msklc2,)
<u>50</u>	05/07/2018 MINUTE ENTRY for proceedings held before Magistrate Judge Gordon P. Gallagher. Informal Discovery Dispute Hearing held on 5/7/2018. Discovery due by 7/16/2018. Dispositive Motions due by 8/17/2018. FTR: Grand Junction - PM. (tsheer,)
<u>51</u>	05/14/2018 RESPONSE to <u>44</u> MOTION to Strike <i>Surrebuttal Expert Report of James A. Beckwith (Opposed)</i> filed by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(McMahon, Joshua)
<u>52</u>	05/14/2018 MOTION to Amend/Correct/Modify <u>39</u> Scheduling Order by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (McMahon, Joshua)

53	05/14/2018 MEMORANDUM regarding 52 MOTION to Amend/Correct/Modify 39 Scheduling Order filed by Board of County Commissioners for the County of Garfield, The. Motions referred to Magistrate Judge Gordon P. Gallagher by Chief Judge Marcia S. Krieger on 5/14/18. Text Only Entry (msklc2,)
54	05/18/2018 RESPONSE to 46 MOTION to Exclude <i>Expert Testimony of James A. Beckwith (Opposed)</i> filed by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(McMahon, Joshua)
55	05/29/2018 REPLY to Response to 44 MOTION to Strike <i>Surrebuttal Expert Report of James A. Beckwith (Opposed)</i> filed by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Starritt, Sam)
56	05/30/2018 ORDER: The Status Conference set for June 4, 2018 is hereby vacated due to a scheduling conflict. The parties are to confer among themselves as to a convenient and appropriate time for a next status conference and then, within one week, contact Gallagher Chambers to schedule same. By Magistrate Judge Gordon P. Gallagher on May 30, 2018. Text Only Entry (gpgsec)
57	06/01/2018 REPLY to Response to 46 MOTION to Exclude <i>Expert Testimony of James A. Beckwith (Opposed)</i> filed by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Starritt, Sam)
58	06/04/2018 RESPONSE to 52 MOTION to Amend/Correct/Modify 39 Scheduling Order filed by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Starritt, Sam)
59	06/16/2018 MINUTE ORDER: Within ten (10) days, the County may file a response of no more than four (4) pages to Plaintiffs burden of persuasion argument, see ECF #55, p. 7. This was a new argument not addressed in the motion (ECF #44) nor in the response (ECF #51) and fairness dictates that the opposing party should have an opportunity to respond, if it so desires. No reply will be allowed without further Order of the Court. by Magistrate Judge Gordon P. Gallagher on 6/16/2018. Text Only Entry (GPG)
60	06/18/2018 REPLY to Response to 52 MOTION to Amend/Correct/Modify 39 Scheduling Order filed by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (McMahon, Joshua)
61	06/21/2018 ORDER: Status Conference set for 6/27/2018 04:00 PM in Room 323 (Grand Junction) before Magistrate Judge Gordon P. Gallagher. Parties may appear in person, but are also approved to appear telephonically with the caveat that the parties coordinate such that all parties desiring to appear telephonically are on one line when the call is placed to the Court at 970-241-8932, Extension 8225. The Court does not have the ability to conference multiple parties so all parties are to be on the line at the time the Court is contacted. By Magistrate Judge Gordon P. Gallagher on June 21, 2018. Text Only Entry (gpgsec)
62	06/26/2018 RESPONSE to 55 Reply to Response to Motion, 59 Minute Order, by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Anderson, Geoffrey)
63	06/28/2018 MINUTE ENTRY for proceedings held before Magistrate Judge Gordon P. Gallagher. Status Hearing held on 6/28/2018. FTR: Grand Junction - PM. (tshe,)
64	07/26/2018 ORDER granting 52 Motion to Amend/Correct/Modify: Finding good cause and for the reasons substantially set forth in the Court's Order denying Plaintiffs' motion to strike (motion at ECF

	service of the County's rebuttal expert disclosure (ECF #44-2). by Magistrate Judge Gordon P. Gallagher on 7/26/2018. Text Only Entry (GPG)
<u>65</u>	07/26/2018 ORDER denying <u>44</u> Motion to Strike, by Magistrate Judge Gordon P. Gallagher on 7/26/2018. (tsher,)
<u>66</u>	08/17/2018 MOTION for Summary Judgment by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 3A, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 4A, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit 16, # <u>19</u> Exhibit 17, # <u>20</u> Exhibit 18, # <u>21</u> Exhibit 19, # <u>22</u> Exhibit 20, # <u>23</u> Exhibit 21, # <u>24</u> Exhibit 22, # <u>25</u> Exhibit 23, # <u>26</u> Exhibit 24, # <u>27</u> Exhibit 25, # <u>28</u> Exhibit 26, # <u>29</u> Exhibit 27, # <u>30</u> Exhibit 28, # <u>31</u> Exhibit 29, # <u>32</u> Exhibit 30, # <u>33</u> Exhibit 31, # <u>34</u> Exhibit 32, # <u>35</u> Exhibit 33, # <u>36</u> Exhibit 34, # <u>37</u> Exhibit 35, # <u>38</u> Exhibit 36, # <u>39</u> Exhibit 37, # <u>40</u> Exhibit 38, # <u>41</u> Exhibit 39)(Anderson, Geoffrey)
<u>67</u>	08/17/2018 MOTION for Judgment as a Matter of Law by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Attachments: # <u>1</u> Exhibit Map, # <u>2</u> Exhibit #20 Deed, # <u>3</u> Exhibit #22 Deed, # <u>4</u> Exhibit Burwell Report, # <u>5</u> Exhibit Schulte Report, # <u>6</u> Exhibit Lee Report, # <u>7</u> Exhibit 1885 Survey, # <u>8</u> Exhibit 1885 Survey, # <u>9</u> Exhibit Price Loveless Patent, # <u>10</u> Exhibit Price Loveless Map, # <u>11</u> Exhibit Caughman Patent, # <u>12</u> Exhibit Fischer Patent, # <u>13</u> Exhibit Carlisle Patent, # <u>14</u> Exhibit Crandall Patent, # <u>15</u> Exhibit S. Armstrong Patent, # <u>16</u> Exhibit Beckwith Deposition, # <u>17</u> Exhibit 1928 Resurvey, # <u>18</u> Exhibit 1928 Resurvey, # <u>19</u> Exhibit 1928 Road Petition, # <u>20</u> Exhibit Setpember 17, 1929 Resolution Adopting Petition, # <u>21</u> Exhibit Place Deposition, # <u>22</u> Exhibit Stewart Deposition, # <u>23</u> Exhibit Beach Deposition, # <u>24</u> Exhibit Gumber Deposition, # <u>25</u> Exhibit B. Spears Deposition, # <u>26</u> Exhibit L. Spears Deposition, # <u>27</u> Exhibit Construction Project Analysis - North Dry Fork, # <u>28</u> Exhibit Spears-Dyco Transcript of Judgment, # <u>29</u> Exhibit Keesbery Deposition, # <u>30</u> Exhibit Hykys Deposition, # <u>31</u> Exhibit Road Viewers Report, # <u>32</u> Exhibit 1919 Resolution Rejecting Petition, # <u>33</u> Exhibit September 5, 1929 Ratifying Resolution, # <u>34</u> Exhibit Doden Deposition, # <u>35</u> Exhibit Savage Deposition, # <u>36</u> Exhibit General Hwy. Map, # <u>37</u> Exhibit County Road Mileage Report, # <u>38</u> Exhibit HUTF Annual Summary, # <u>39</u> Exhibit BOCC Agenda 2014, # <u>40</u> Exhibit BOCC Agenda 2015, # <u>41</u> Exhibit BOCC Agenca 2016, # <u>42</u> Exhibit 2011 Road Map, # <u>43</u> Exhibit 1974 Road Map, # <u>44</u> Exhibit 2015 Road Map, # <u>45</u> Exhibit Rickstrew Deposition, # <u>46</u> Exhibit Bob Prather's Life of a Cowboy, # <u>47</u> Exhibit Furr Deposition)(Starritt, Sam)
<u>68</u>	08/17/2018 MOTION to Exclude <i>Expert Opinion Pursuant to Fed.R.Evd. 702</i> by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Starritt, Sam)
<u>69</u>	08/23/2018 MOTION to Supplement <u>67</u> MOTION for Judgment as a Matter of Law by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Attachments: # <u>1</u> Exhibit Exhibit 21 (Supplement))(Starritt, Sam)
<u>70</u>	09/06/2018 Stipulated MOTION for Extension of Time to File Response/Reply as to <u>67</u> MOTION for Judgment as a Matter of Law , <u>66</u> MOTION for Summary Judgment by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Anderson, Geoffrey)
<u>71</u>	09/07/2018 ORDER granting <u>70</u> Motion for Extension of Time to File Response/Reply: Responses due Sept. 21, 2018. By Chief Judge Marcia S. Krieger on 9/7/18. Text Only Entry (msklc2,)
<u>72</u>	09/07/2018 RESPONSE to <u>68</u> MOTION to Exclude <i>Expert Opinion Pursuant to Fed.R.Evd. 702</i> filed by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (Anderson, Geoffrey)
<u>73</u>	09/20/2018 MOTION to Withdraw <i>Plaintiffs' Motion to Substitute Exhibit 31 to Plaintiffs' Motion for</i>

<u>74</u>	09/20/2018 Joint MOTION for Extension of Time to File Response/Reply as to <u>67</u> MOTION for Judgment as a Matter of Law , <u>66</u> MOTION for Summary Judgment <i>on behalf of Plaintiffs and by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The.</i> (Attachments: # <u>1</u> Proposed Order (PDF Only) Proposed Order)(McMahon, Joshua)
<u>75</u>	09/21/2018 RESPONSE to <u>73</u> MOTION to Withdraw <i>Plaintiffs' Motion to Substitute Exhibit 31 to Plaintiffs' Motion for Summary Judgment No Opposition</i> filed by Defendant Board of County Commissioners for the County of Garfield, The. (McMahon, Joshua)
<u>76</u>	09/21/2018 ORDER granting <u>74</u> Motion for Extension of Time to File Response/Reply: Responses due 9/26/18. No further extensions will be granted. By Chief Judge Marcia S. Krieger on 9/21/18. Text Only Entry (msklc2,)
<u>77</u>	09/21/2018 REPLY to Response to <u>68</u> MOTION to Exclude <i>Expert Opinion Pursuant to Fed.R.Evd. 702</i> filed by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Starritt, Sam)
<u>78</u>	09/26/2018 RESPONSE to <u>67</u> MOTION for Judgment as a Matter of Law filed by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P)(McMahon, Joshua)
<u>79</u>	09/26/2018 RESPONSE to <u>67</u> MOTION for Judgment as a Matter of Law , <u>66</u> MOTION for Summary Judgment filed by Defendant Bureau of Land Management, The. (Kellogg, Ian)
<u>80</u>	09/26/2018 RESPONSE to <u>66</u> MOTION for Summary Judgment filed by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Attachments: # <u>1</u> Exhibit A - GJFO TMP Map, # <u>2</u> Exhibit B - Beckwith Deposition, # <u>3</u> Exhibit C - Schulte Report, # <u>4</u> Exhibit D - Rickstrew Deposition, # <u>5</u> Exhibit E - Stewart Affidavit, # <u>6</u> Exhibit F - Gulliford "Boomtown", # <u>7</u> Exhibit G - Russell 'History of Oil Shale', # <u>8</u> Exhibit H - Daily Sentinel Art, # <u>9</u> Exhibit I - Notes on Oil Shale, # <u>10</u> Exhibit J - Beach Deposition, # <u>11</u> Exhibit K - Gumber Deposition, # <u>12</u> Exhibit L - 1951 Map, # <u>13</u> Exhibit M - 1961 Map, # <u>14</u> Exhibit N - 1976 Map, # <u>15</u> Exhibit O - 1976 "CDOT" Map, # <u>16</u> Exhibit P - 1995 Map, # <u>17</u> Exhibit Q - 1996 Map, # <u>18</u> Exhibit R - 1997 Map, # <u>19</u> Exhibit S - Enerwest v. Dyco Findings, # <u>20</u> Exhibit T - Place Deposition, # <u>21</u> Exhibit U - Savage Deposition)(Starritt, Sam)
<u>81</u>	10/10/2018 REPLY to Response to <u>66</u> MOTION for Summary Judgment filed by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (McMahon, Joshua)
<u>82</u>	10/10/2018 REPLY to Response to <u>67</u> MOTION for Judgment as a Matter of Law Attorney Christopher Graham McAnany added to party #20 Enterprises, LLC(pty:cd), Attorney Christopher Graham McAnany added to party #20 Enterprises, LLC(pty:pla), Attorney Christopher Graham McAnany added to party #22 Enterprises, LLC(pty:cd), Attorney Christopher Graham McAnany added to party #22 Enterprises, LLC(pty:pla) filed by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Attachments: # <u>1</u> Exhibit Exhibit 49 - Article, # <u>2</u> Exhibit Exhibit 50 - Savage Depo)(McAnany, Christopher)
<u>83</u>	10/11/2018 REPLY to Response to <u>67</u> MOTION for Judgment as a Matter of Law <i>of the BLM</i> filed by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Starritt, Sam)

85	12/13/2018 ORDER: The Court will hold a non-evidentiary hearing on January 22, 2019 at 11:00 a.m. for the purpose of addressing the Fed. R. Evid. 702 motion <u>68</u> . The parties shall be prepared to address whether the opinions and objections are cognizable under Fed. R. Evid. 702, whether an evidentiary hearing is necessary on the motion, and how long such an hearing will take and when it can be scheduled. By Chief Judge Marcia S. Krieger on 12/13/18. Text Only Entry (msklc2,)
<u>86</u>	01/22/2019 MINUTE ENTRY for Motions Hearing held before Chief Judge Marcia S. Krieger on 1/22/2019. denying <u>46</u> <u>68</u> Motions to Exclude are DENIED with leave to renew; <u>66</u> Motion for Summary Judgment; <u>67</u> Motion for Judgment as a Matter of Law are both DENIED; <u>69</u> Motion to Supplement is GRANTED; <u>73</u> Motion to Withdraw is GRANTED. Proposed Pretrial Order due by 3/4/2019; Final Pretrial Conference set for 3/6/2019 01:30 PM in Courtroom A 901 before Chief Judge Marcia S. Krieger. Court Reporter: Terri Lindblom. (pglov)
87	01/24/2019 ORDER: Due to circumstances beyond the Court's control, it is necessary to vacate the Pretrial Conference set for March 6, 2019 <i>sine die</i> . The parties will be notified in the future as to when and how that Conference will be reset. The Court apologizes to the parties for any inconvenience. This Order does not vacate the previously-established deadline for the submission of a Proposed Pretrial Order. By Chief Judge Marcia S. Krieger on 1/24/19. Text Only Entry (msklc2,)
<u>88</u>	02/12/2019 TRIAL BRIEF (<i>Supplemental</i>) by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Attachments: # <u>1</u> Exhibit EX A, # <u>2</u> Exhibit EX B, # <u>3</u> Exhibit EX C, # <u>4</u> Exhibit EX D)(Starritt, Sam)
<u>89</u>	02/26/2019 Joint MOTION for Extension of Time to <i>Extend Deadline for Pretrial Order</i> by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Starritt, Sam)
90	02/26/2019 ORDER granting <u>89</u> Motion for Extension of Time to File. Pretrial Order due March 15, 2019. By Chief Judge Marcia S. Krieger on 2/26/19. Text Only Entry (msklc2,)
91	03/07/2019 CASE REASSIGNED: Due to Judge Marcia S. Krieger's unavailability, and with the approval of the Chief Judge pursuant to D.C.COLO.LCivR 40.1(a), this case has been reassigned to Judge R. Brooke Jackson. All future pleadings should be designated as 17-cv-01260-RBJ. (Text Only Entry) (dkals,)
92	03/08/2019 MINUTE ORDER: The March 15, 2019 deadline to submit a final pretrial order is vacated. The Court requests that the parties contact Chambers at Jackson_chambers@cod.uscourts.gov to schedule a Status Conference. By Judge R. Brooke Jackson on 3/8/19. Text Only Entry (rbjsec.)
93	03/12/2019 MINUTE ORDER: A Status Conference is set for 3/20/2019 at 10:00 AM in Courtroom A 902 before Judge R. Brooke Jackson. By Judge R. Brooke Jackson on 3/12/19. Text Only Entry (rbjsec.)
<u>94</u>	03/20/2019 COURTROOM MINUTES/MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Status Conference held on 3/20/2019. Five day Bench Trial is set for 9/23/2019 at 9:00 AM in Room 323 (Grand Junction) before Judge R. Brooke Jackson. Court Reporter: Sarah Mitchell. (jdynes,)
<u>95</u>	03/21/2019 ORDER SETTING TRIAL: This matter has been scheduled for a five-day Bench Trial on the docket of Judge R. Brooke Jackson in the Wayne Aspinall Federal Building, 402 Rood Avenue, Grand Junction, CO, 81501-2520, to commence on September 23, 2019 at 9:00 a.m. For additional information, please review my practice standards located at http://www.cod.uscourts.gov/JudicialOfficers/ActiveArticleIIIJudges/HonRBrookeJackson.aspx By Judge R. Brooke Jackson on 3/21/19. (rbjsec.)
96	08/21/2019 MINUTE ORDER: A A Telephonic Trial Preparation Conference is set for 9/18/2019 at at

	dial-in information to the Court and all other counsel. By Judge R. Brooke Jackson on 8/21/19. Text Only Entry (rbjsec.)
<u>97</u>	08/30/2019 DESIGNATION OF DEPOSITION TESTIMONY <i>Scott Stewart</i> by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Starritt, Sam)
<u>98</u>	09/11/2019 AFFIDAVIT/RETURN of Service of Subpoena to Appear and Testify upon James W. Giese on September 2, 2019, filed by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC (Starritt, Sam)
<u>99</u>	09/11/2019 DESIGNATION OF DEPOSITION TESTIMONY AND OBJECTIONS by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Starritt, Sam)
<u>100</u>	09/11/2019 MOTION to Strike <i>Seventh Supplement of James A. Beckwith (Opposed)</i> by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Starritt, Sam)
101	09/11/2019 ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES:re: <u>99</u> Designation of Deposition Testimony AND <u>98</u> Affidavit/Return of Service, filed by attorney Sam D. Starritt. Attorney or pro se has used an incorrect signature format in violation of D.C.COLO.LCivR 5.1(a) and 4.3(a) of the Electronic Case Filing Procedures (Civil cases). DO NOT REFILE THE DOCUMENT. In the future, the filer must affix an electronic s/signature and s/ followed by a typed, not an inked, signature to all future documents.(Text Only Entry) (angar,)
<u>102</u>	09/17/2019 AFFIDAVIT/RETURN of Service of Subpoena upon Roy Savage on 09/09/2019, filed by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC (Attachments: # <u>1</u> Exhibit)(Starritt, Sam)
<u>103</u>	09/17/2019 AFFIDAVIT/RETURN of Service of Subpoena upon Linda Sue Spears on 09/10/2019, filed by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC (Starritt, Sam)
<u>104</u>	09/18/2019 COURTROOM MINUTES/MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Trial Preparation Conference held on 9/18/2019. Court Reporter: Sarah Mitchell. (jdyne,)
105	09/20/2019 MINUTE ORDER: The five-day Bench Trial scheduled for 9/23/2019 is CONTINUED to 12/2/2019 at 9:00 AM in Room 323 (Grand Junction) before Judge R. Brooke Jackson. The Court will coordinate with counsel to conduct a "site visit" on September 23, 2019. By Judge R. Brooke Jackson on 9/20/19. Text Only Entry (rbjsec.)
106	09/20/2019 MINUTE ORDER: The Court will conduct a Site Visit on 9/23/2019 at 11:00 AM (approximate). By Judge R. Brooke Jackson on 9/20/19. Text Only Entry (rbjsec.)
<u>107</u>	09/30/2019 MOTION for Extension of Time to File Answer or Otherwise Respond re <u>100</u> MOTION to Strike <i>Seventh Supplement of James A. Beckwith (Opposed)</i> by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (McMahon, Joshua)
108	10/01/2019 ORDER granting <u>107</u> Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re <u>100</u> MOTION to Strike Seventh Supplement of James A. Beckwith. The response is now due by 10/16/19. By Judge R. Brooke Jackson on 10/1/19. Text Only Entry(rbjsec.)
<u>109</u>	10/17/2019 MOTION to Withdraw Document re <u>100</u> MOTION to Strike <i>Seventh Supplement of James</i>

110	10/18/2019 ORDER granting 109 MOTION to Withdraw Document re 100 MOTION to Strike Seventh Supplement of James A. Beckwith (Opposed). By Judge R. Brooke Jackson on 10/18/19. Text Only Entry(rbjsec.)
111	10/18/2019 ORDER withdrawing 100 MOTION to Strike Seventh Supplement of James A. Beckwith (Opposed). See ECF No. 109 and 110. By Judge R. Brooke Jackson on 10/18/19. Text Only Entry(rbjsec.)
112	11/26/2019 MINUTE ORDER Telephone Status Conference is set for 11/27/2019 at 9:00 AM in Courtroom A 902 before Judge R. Brooke Jackson. Counsel has provided a conference line for the Court and parties. by Judge R. Brooke Jackson on 11/26/19. Text Only Entry (jdyne,)
113	11/27/2019 COURTROOM MINUTES/MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Telephone Status Conference held on 11/27/2019. Court Reporter: Sarah Mitchell. (jdyne,)
114	11/27/2019 Witness List <i>Waivers and Subpoenas to Appear and Testify at Trial</i> by Counter Defendants #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Attachments: # 1 Summons Gumber Subpoena, # 2 Affidavit Burwell Waiver, # 3 Summons Burwell Subpoena, # 4 Affidavit Beach Waiver, # 5 Summons Beach Subpoena, # 6 Affidavit Linda Spears Waiver, # 7 Summons Linda Spears Subpoena)(Starritt, Sam)
115	11/29/2019 MINUTE ORDER: By agreement of the parties, the Five Day Bench Trial set to commence 12/2/19 is CONTINUED to 3/30/2020 at 9:00 AM in Room 323 (Grand Junction) before Judge R. Brooke Jackson. Text Only Entry (jdyne,)
116	03/18/2020 MINUTE ORDER: Due to the circumstances of COVID-19 the five-day Bench Trial scheduled for March 30, 2020 is vacated. The Court's staff will be in contact with counsel to reschedule. By Judge R. Brooke Jackson on 3/18/2020. Text Only Entry (rbjsec.)
117	04/01/2020 MINUTE ORDER: The five-day Bench Trial has been reset for 10/19/2020 at 9:00 AM in Room 323 (Grand Junction) before Judge R. Brooke Jackson. By Judge R. Brooke Jackson on 4/1/2020. Text Only Entry (rbjsec.)
118	06/17/2020 MOTION to Substitute Party , MOTION to Amend/Correct/Modify <i>Caption</i> by Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC. (Attachments: # 1 Exhibit Exhibit 1 Certificate of Merger, # 2 Exhibit Exhibit 2 #20 Enterprises LLC Deed, # 3 Exhibit Exhibit 3 #22 Enterprises LLC Deed, # 4 Exhibit Exhibit 4 #22 Enterprises LLC Deed, # 5 Proposed Document Proposed Order Granting Motion for Substitution of Parties and Amend Caption)(Starritt, Sam)
119	06/18/2020 ORDER GRANTING MOTION FOR SUBSTITUTION OF PARTIES AND TO AMEND CAPTION. THE COURT, having reviewed the same, and being otherwise fully advised, hereby ORDERS that the motion be and hereby is GRANTED. From the date of this order hence, this case shall be styled, The High Lonesome Ranch, LLC, v. Board of County Commissioners for the County of Garfield, and The United States of America, through its agency, the Bureau of Land Management, and the counterclaim shall be similarly named. By Judge R. Brooke Jackson on 6/18/2020.(apesa,)
120	06/26/2020 STIPULATION <i>Motion Re Entry of Order Regarding Timing of Disclosure of Additional Expert Reports</i> by Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC, High Lonesome Ranch, LLC, The. (Attachments: # 1 Proposed Order (PDF Only))(Kube, Robyn)
121	06/29/2020 MINUTE ORDER granting 120 STIPULATION Motion Re Entry of Order Regarding Timing of Disclosure of Additional Expert Reports. By Judge R. Brooke Jackson on 6/29/2020. Text Only Entry (rbjsec.)
122	06/29/2020 MINUTE ORDER granting 120 STIPULATION Motion Re Entry of Order Regarding Timing of Disclosure of Additional Expert Reports. By Judge R. Brooke Jackson on 6/29/2020. Text Only Entry (rbjsec.)

restaurants pose risks to the out of town participants, including the Court and court staff, this bench trial will be conducted remotely by video teleconference. If that is not acceptable, then you will need to once again reset the trial at a future date. The Court continues to believe that this issue concerning whether and when the gate on the road that permits access to the hunting lodge but also to public lands under the jurisdiction of the BLM should be settled on terms that reasonably, if not perfectly, accommodate the needs and desires of all parties. In the context of the pandemic and the other major issues that trouble our society at this time, this should be a solvable problem. The Court's staff will provide connection instructions to the parties by email prior to the bench trial. By Judge R. Brooke Jackson on 9/23/2020. Text Only Entry (rbjsec.)

123 09/28/2020 MINUTE ORDER: The parties have reported that they cannot agree even on the manner and timing of trying this case. It is a very old case that has been continued multiple times for various reasons. Further delay perhaps benefits one of the parties but not both. The defendant opposes another continuance. The Court suggested the remote option as the safest for all concerned, but the plaintiff opposes that option; however, while the plaintiff likely has the greater number of participants who would come from the Grand Junction area, plaintiff does not oppose moving the trial to Denver. Since there is no agreement, the Court orders that the case will be tried to the Court as scheduled beginning on October 19, 2020, in the Arraj federal courthouse in Denver, Colorado. The Court bases this decision on the positions of the parties; the current health and safety concerns that have been raised concerning the Grand Junction courtroom; and the overall health and safety concerns affecting some counsel, some witnesses, the court's staff and the Court of trying a five-day trial in Grand Junction at this time. The Court also notes that it did, at the parties' request, travel to Grand Junction last year to view the location of the gate, road, lodge, and surrounding areas, so the Court has the locale in its mind. The parties will be permitted to call witnesses by VTC remotely if they wish to do so, but they should determine in advance, in consultation with each other and with the courtroom deputy Julie Dynes, precisely when any remote witness will be called and approximately how long the remote witness's testimony will take, so that the Court can try to avoid bandwidth problems potentially created by the combination of this bench trial and two scheduled jury trials set in this courthouse for the same time period. The Court notes that Magistrate Judge Hegarty has agreed to conduct criminal duty and the rest of his docket in the Rogers building that week in order to make it possible bandwidth-wise for the Court to try your case that week. Finally, the Court directs the parties attention to the court's website for the protocols that are in place for trials at this time in this building. Every person entering the building will be screened for health issues and recent exposure to the coronavirus on an honor system basis. While in the building all participants will wear cloth or surgical masks at all times and observe social distancing; clear face shields are not acceptable. Exhibits should be presented electronically, although at least one set of hard copies for the witness stand and for the court reporter are required. Questions about these matters may be addressed to Ms. Dynes. The Five-day Bench Trial is reset for 10/19/2020 at 9:00 AM in Courtroom A 902 of the Alfred A. Arraj Courthouse before Judge R. Brooke Jackson. By Judge R. Brooke Jackson on 9/28/2020. Text Only Entry (rbjsec.)

124 10/16/2020 Exhibit List by Counter Defendant High Lonesome Ranch, LLC, The. (Keever, Nathan)

125 10/16/2020 OBJECTIONS to *Plaintiff's Objections to Stewart Preserved Testimony* by Counter Defendants High Lonesome Ranch, LLC, The, #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC, High Lonesome Ranch, LLC, The. (Attachments: # 1 Appendix)(Keever, Nathan)

126 10/16/2020 Witness List *Exhibit List - Amended* by Counter Defendant High Lonesome Ranch, LLC, The, Plaintiff High Lonesome Ranch, LLC, The. (Starritt, Sam)

127 10/16/2020 OBJECTIONS to *Jack Beach Preserved Testimony* by Plaintiff High Lonesome Ranch, LLC, The. (Attachments: # 1 Appendix)(Starritt, Sam)

128 10/16/2020 NOTICE of Filing - *Waivers of Service of Subpoenas* by Counter Defendant High Lonesome Ranch, LLC, The, Plaintiff High Lonesome Ranch, LLC, The (Starritt, Sam)

129 10/16/2020 Exhibit List by Defendant Board of County Commissioners for the County of Garfield, The

<u>130</u>	10/16/2020 Witness List by Defendant Board of County Commissioners for the County of Garfield, The. (McMahon, Joshua)
<u>131</u>	10/16/2020 OBJECTIONS to <i>Scott Stewart Preserved Testimony</i> by Defendant Board of County Commissioners for the County of Garfield, The. (McMahon, Joshua)
<u>132</u>	10/19/2020 MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Bench Trial Day One held on 10/19/2020. Opening arguments given, evidence and testimony presented, trial continued. Court Reporter: Sarah Mitchell. (jdyne,)
<u>133</u>	10/20/2020 MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Bench Trial day two held on 10/20/2020. Evidence and testimony presented, trial continued. Court Reporter: Sarah Mitchell. (jdyne,)
<u>134</u>	10/21/2020 MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Bench Trial day three held on 10/21/2020. Evidence and testimony presented, trial continued. Court Reporter: Sarah Mitchell. (jdyne,)
<u>135</u>	10/22/2020 MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Bench Trial Day Four held on 10/22/2020. Evidence and testimony presented, trial continued. Court Reporter: Sarah Mitchell. (rkeec)
<u>136</u>	10/23/2020 MINUTE ENTRY for proceedings held before Judge R. Brooke Jackson: Bench Trial Day Five held on 10/23/2020. Evidence and testimony presented, closing arguments given, trial concluded. Court Reporter: Sarah Mitchell. (jdyne,)
137	11/05/2020 TRANSCRIPT of Bench Trial - Day 1 held on October 19, 2020 before Judge Jackson. Pages: 1-236. NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (smitc,)
138	11/05/2020 TRANSCRIPT of Bench Trial - Day 2 held on October 20, 2020 before Judge Jackson. Pages: 237-442. NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (smitc,)
139	11/05/2020 TRANSCRIPT of Bench Trial - Day 3 held on October 21, 2020 before Judge Jackson. Pages: 443-697. NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov.

140	11/05/2020 TRANSCRIPT of Bench Trial - Day 4 held on October 22, 2020 before Judge Jackson. Pages: 698-853. NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (smitc,)
141	11/05/2020 TRANSCRIPT of Bench Trial - Day 5 held on October 23, 2020 before Judge Jackson. Pages: 854-1059. NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (smitc,)
<u>142</u>	11/20/2020 Proposed Findings of Fact by Defendant Board of County Commissioners for the County of Garfield, The. (Attachments: # <u>1</u> Proposed Document)(McMahon, Joshua)
<u>143</u>	11/20/2020 Proposed Findings of Fact <i>and Conclusions of Law</i> by Counter Defendant High Lonesome Ranch, LLC, The, Plaintiff High Lonesome Ranch, LLC, The. (Attachments: # <u>1</u> Proposed Document Proposed Findings and Conclusions, # <u>2</u> Appendix Statute 1891, # <u>3</u> Appendix Statute 1893, # <u>4</u> Appendix Statute 1921 - 1, # <u>5</u> Appendix Statute 1921 - 2, # <u>6</u> Appendix Statute 1921 - 3, # <u>7</u> Appendix Statute 1953)(Starritt, Sam)
<u>144</u>	12/08/2020 Exhibits in Support <i>Deposition Transcript of Virgil Rickstrew</i> by Plaintiff High Lonesome Ranch, LLC, The. (Starritt, Sam)
<u>145</u>	12/11/2020 REPLY to <u>143</u> Proposed Findings of Fact, by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (Attachments: # <u>1</u> Proposed Document Reply to Proposed Findings of Fact and Conclusions of Law)(McMahon, Joshua)
<u>146</u>	12/11/2020 Proposed Findings of Fact <i>PLAINTIFFS REBUTTAL TO GARFIELD COUNTYS PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW</i> by Plaintiff High Lonesome Ranch, LLC, The. (Attachments: # <u>1</u> Pages PLAINTIFFS REBUTTAL TO GARFIELD COUNTYS PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW)(Starritt, Sam)
<u>147</u>	12/21/2020 Exhibits in Support <i>Scott Stewart Deposition Handwritten Redactions</i> by Counter Defendants High Lonesome Ranch, LLC, The, #20 Enterprises, LLC, #22 Enterprises, LLC, Plaintiffs #20 Enterprises, LLC, #22 Enterprises, LLC, High Lonesome Ranch, LLC, The. (Attachments: # <u>1</u> Exhibit Scott Stewart PDF Redactions)(Starritt, Sam)
<u>148</u>	12/22/2020 FINDINGS OF FACT AND CONCLUSIONS OF LAW by Judge R. Brooke Jackson on 12/22/20. (jdyne,)
<u>149</u>	12/23/2020 FINAL JUDGMENT in favor of the defendant, the Board of County Commissioners for the County of Garfield. by Judge R. Brooke Jackson on 12/23/20. (jdyne,)

	(McMahon, Joshua)
<u>151</u>	01/06/2021 Proposed Bill of Costs by Defendant Board of County Commissioners for the County of Garfield, The, Counter Claimant Board of County Commissioners for the County of Garfield, The. (McMahon, Joshua)
<u>152</u>	01/06/2021 Costs Taxed by Clerk in the amount of \$32,930.54 against Plaintiff The High Lonesome Ranch and in favor of Defendant Board of County Commissioners for the County of Garfield. Costs awarded pursuant to the parties' stipulation - See Doc. No. 150. No hearings will be scheduled. (kmont)