

DISTRICT COURT CITY & COUNTY OF DENVER, COLORADO 1437 Bannock Street Denver, Colorado 80202	DATE FILED: August 16, 2018 CASE NUMBER: 2018CV33011
Plaintiff: GERALD ROME, Securities Commissioner for the State of Colorado v.	▲ COURT USE ONLY ▲
Defendant: GARY DRAGUL, ET AL.	Case Number: 18CV33011 Courtroom: 424
<u>DELAY REDUCTION ORDER</u>	

All civil courtrooms are on a delay reduction docket.

IF AN ATTORNEY OR PRO SE PARTY FAILS TO COMPLY WITH THIS ORDER, THE COURT MAY DISMISS THE CASE WITHOUT PREJUDICE. THIS ORDER IS THE INITIAL NOTICE REQUIRED BY C.R.C.P 121 § 1-10, AND C.R.C.P. 41(B)(2).

A. All Civil Cases:

1. **Service of Process:** Proof of service of process under C.R.C.P. 4 for all defendants must be filed within **63 days** after the date of filing of the complaint. After **63 days**, the action may be dismissed by the Court against any defendant for whom proof of service has not been filed.

2. **Default:** Application for entry of default under C.R.C.P. 55(a) must be filed within **21 days** after default has occurred.

If all defendants are in default, a motion for entry of default judgment under C.R.C.P. 55(b) must be filed with the application for entry of default. Motions for entry of default judgment must comply with C.R.C.P. 121 § 1-14. Reasonable inquiry regarding a person’s military status requires confirmation through the Department of Defense’s Servicemembers Civil Relief Act website (<https://scra.dmdc.osd.mil>) or equivalent confirmation.

3. **Trial Setting:** The Responsible Attorney as defined in C.R.C.P. 16(b)(2) must file and serve a Notice to Set the case for trial and must complete the setting of the trial no later than **28 days** from the date the case is at issue. A case is "at issue" when: (a) all parties have been served and have filed all pleadings permitted by C.R.C.P. 7; or (b) defaults or dismissal have been entered against all non-appearing

parties; or (c) at such other time as the Court directs. This Court's setting dates are Tuesday, Wednesday or Thursday from 10 a.m. until noon and may be reached at 720 865-8612.

4. **Service of this Order:** The Plaintiff or Responsible Attorney must send a copy of this order to all other parties who enter an appearance.
5. **Related Cases:** An attorney entering an appearance in this case who is aware of a related case is ordered to complete and file in this case an Information Regarding Related Case(s) form available in Room 256 of the City and County Building or at:

[https://www.courts.state.co.us/userfiles/file/Information_Relating_Related_Cases_Form\(1\).doc](https://www.courts.state.co.us/userfiles/file/Information_Relating_Related_Cases_Form(1).doc)

B. Cases under C.R.C.P. 16

1. **Case Management Conference:** The notice to set trial must also include a notice to set a Case Management Conference as required by C.R.C.P. 16(d)(1), to be held no later than **49 days** after the case is at issue.
2. **Proposed Case Management Order:** At least **7 days** before the Case Management Conference, the parties must file, in editable format, a proposed Case Management Order consisting of the matters set forth in C.R.C.P. 16(b)(1)-(17) and take all necessary actions to comply with those subsections.
3. **Waiver of Case Management Conference:** A joint request to waive the case management conference may be included in the proposed Case Management Order, but unless such a request has been granted, counsel and any unrepresented parties should plan on appearing for the case management conference.

C. Cases under C.R.C.P. 16.1

1. **Certificate of Compliance:** Not later than **49 days** after the case is at issue, the Plaintiff (or the Responsible Attorney) must file a Certificate of Compliance as required under C.R.C.P. 16.1(h). No Case Management Order or Case Management Conference is required.

Dated: August 16, 2018

BY THE COURT:



Martin F. Egelhoff
District Court Judge