

**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

**Date:** May 21, 2009

Debra Brown, Deputy Clerk

SUZANNE SHELL

Pro se

Plaintiff.

v.

American Family Rights Association

Cletus Kiefer

Families at Risk Defense Alliance

Francine Renee Cygan

Mark Cygan

Illinois Family Advocacy Coalition

Dennis Hinger

Aimee Dutkiewicz

Wiseman Studios

Ann Durand

Brenda Swallow

Kathy Tilley

Randall Blair

Lloyd Phillips

Desere' Clabo

Georgia Family Rights, Inc.

Connecticut DCF Watch

National Association of Family Advocates

William Wiseman

Leonard Henderson

Pro se

Susan Adams Jackson

Pro se

Dorothy Kernaghan-Baez

Pro se

Thomas Dutkiewicz

Pro se

Dee Contreras

Pro se

William O. Tower

Pro se

Ann Tower

(Appeared, not served)

Ringo Kamens

Jennifer E. Schlatter

Patrick D. Vellone

Cheryl Barnes

Daniel Bernard Slater

CPSWatch, Inc.

Sarah Thompson

Defendants.

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## COURTROOM MINUTES / MINUTE ORDER

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### SCHEDULING CONFERENCE

**Court in Session: 10:23 a.m.**

Court calls the case. Appearance by plaintiff, pro se and of Counsel as referenced. Also present is defendant, Dee Contreras, pro se. Appearing by telephone are William O. Tower, Ann E. Tower, Leonard Henderson Susan Adams Jackson, Dorothy Kernaghan-Baez and Thomas Dutkiewicz, *pro se*.

Advisement by the Court that any company who has been served, must be represented by Counsel. Statements by the Court regarding the various motions pending.

- ORDERED:** No discovery and no further motions will be allowed pending ruling on all motions to dismiss.
- ORDERED:** The Court will limit filings from this date forward to Returns of Service or motions having to do with service, Answers, Counterclaims, Motions to Dismiss and responses and replies to the motions to dismiss. Any additional filings will be **STRICKEN** except for an Entry of Appearance by Counsel.
- ORDERED:** After the District Court rules on the pending Motions to Dismiss, this Court will set an additional Scheduling Conference, if necessary.
- ORDERED:** The Court will not entertain any Motions for Entry of Default; therefore, Document [#71], Document [#90] and Document [#107] are **STRICKEN and the defaults set aside**.
- ORDERED:** Defendants' "Motion to Vacate Default Judgment" [Document #148, filed May 20, 2009] and "Motion to Set Aside [107] Clerk's Entry of Default" [document #144, filed May 20, 2009] are **GRANTED**.
- ORDERED:** Plaintiff's "Motion for Default Judgment as to American Family Rights Association, Ann Tower, William Tower, Francine Renee Cygan, Mark Cygan" [Document #103, filed May 06, 2009] and "Motion for Default Judgment as to Sarah Thompson" [Document #109, filed May 10, 2009] are **DENIED without prejudice** pending ruling on the Motions to Dismiss.
- ORDERED:** Defendants Dee Contreras' "Motion for Orders Restraining Plaintiff from Intentional Infliction of Emotional Distress and for Sanctions Against Plaintiff on Behalf" (filed in duplicate) [Document #134 and #135, filed May 13, 2009 and May 14, 2009] are **GRANTED in part**. The Plaintiff is Ordered to cease communication with the Defendant. The Court advised Plaintiff her previous commentary to Defendant is inappropriate. Plaintiff shall refrain from communicating with any Defendant through e:mail, telephone, or any other method other than U.S. Postal Mail. During the period from now until the Motions to Dismiss are ruled on there will be no need for the parties to communicate or confer pursuant to D.C.Colo.L.Civ.R. 7.1(A). Any necessary communications between the parties will be by U.S. Postal Mail at the official addresses listed with the Court. The parties are **not** relieved of their duty to serve court filings on all other parties in the case pursuant to D.C.Colo.L.Civ.R. 5.1(F). The Motion for Sanctions is **DENIED**..

**ORDERED:** Plaintiff's "MOTION to Strike [95] Answer to Complaint" [Document #146, filed May 20, 2009] is **DENIED**.

**ORDERED:** Defendant's "MOTION For Additional Time" [Document #152, filed May 20, 2009] is **GRANTED in part as stated on the record**. All Defendants who have been served as of May 21, 2009, shall have up to and including **July 07, 2009** to file a response to the complaint, but only to the extent no response has been previously filed. Plaintiff shall have thirty (30) days to respond.

**ORDERED:** The Clerk of the Court is directed to mail a current docket sheet to all *pro se* parties. The parties are advised that they must provide current address information to the Court pursuant to D.C.Colo.L.Civ.R. 10.1(M).

**ORDERED:** Plaintiff's "Motion for Protective Order Preventing Plaintiff's Known Competitors from Representing Defendants" [Document #106, filed May 07, 2009] is **DENIED for the reasons stated on the record**.

**ORDERED:** Plaintiff's "Motion for Costs of Personal Service" [Document #44, filed April 16, 2009] is **DENIED without prejudice**.

**ORDERED:** Defendant Wiseman's "Motion Requesting That This Court Seal William Wiseman Motion for Appointment of Counsel" [Document #88, filed April 29, 2009] is **GRANTED**.

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.

Absent exceptional circumstances, no request for rescheduling any appearance in this court will be entertained unless a written request is made FIVE (5) business days in advance of the date of appearance.

**Court in Recess: 11:36 a.m.**

Total In-Court Time 1:14, hearing concluded

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