

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

BERNARD KENNETH MYERS, PLAINTIFF

VS.

OCT 18 2012

JEFFREY P. COLWELL
CLERK

CITY OF LOVELAND COLORADO, DEFENDANT

12-CV-2317

REB-KLM

STATUS UPDATE

YOUR HONOR(S) ON 5 OCTOBER COUNCIL FOR THE DEFENSE AND MYSELF HAD OUR PRE-SCHEDULING

MEETING AS ORDERED BY JUDGE MIX. WE AGREED ON MOST EVERYTHING WITH THE EXCEPTION OF

NUMBER 4 UNDISPUTED FACTS, WHICH, AT THAT TIME, COUNCIL FOR THE DEFENSE DID NOT WANT

TO MESS WITH THAT BECAUSE HE TOLD ME THAT THE COURT WOULD DISMISS MY COMPLAINT AS

SOON AS IT GOT THE DEFENSE MOTION TO DISMISS. I TOLD THEM I DISAGREED WITH HIS SECOND

GUESSING THE COURT AND THAT WE WERE ON A TIME SCHEDULE TO GET THIS DONE AND AGREED

UPON BEFORE SENDING IT IN. WELL THE 16TH, JENNY, MR. CAMPBELLS SECRETARY CALLED ME TO

TELL ME THAT MR. CAMPBELL ADDED THE UNDISPUTED PORTION AND THAT THEY WOULD FAX IT

TO ME. I INFORMED HER THAT THE COLLEGE LIBRARY WAS OUT OF INK FOR IT'S FAX/PRINTER UNTIL

NEXT MONDAY AND THAT I COULD NOT PAY FOR THEM AND GET THEM UNTIL FRIDAY THE 19TH. I

RECEIVED IN THE MAIL TODAY THE REVISED COPY AND WAS VERY UPSET WITH THE UNDISPUTED

PORTION. MR. CAMPBELL LEFT OUT SALLY MYERS AS A FORMER EMPLOYEE PLUS ALL OF WHAT I

CONSIDER TO BE UNDISPUTED FACTS AND WITH TIME RUNNING OUT TO GET THIS TO THE COURT

IN THE TIMELINE ORDERED BY HER HONOR JUDGE MIX, I EITHER HAVE TO GO WITH WHAT THEY WANT

OR BE IN CONTEMPT OF JUDGE MIX'S ORDER. I CALLED MR. CAMPBELL IMMEDIATELY TO RESOLVE THIS.

FIRST HIS SECRETARY TOLD ME HE WAS AVAILABLE AND PUT ME ON HOLD. SHE CAME BACK A FEW

SECONDS LATER AND TOLD ME HE WAS NOT AVAILABLE AND SHE WOULD CONNECT ME WITH HIS

VOICE MAIL. YOUR HONOR, I REALIZE I'M NOT VERY GOOD AT THIS BUT I AM TIRED OF DEFENSE

COUNCIL TREATING ME LIKE AN IDIOT AND TRYING TO SET ME UP. THEREFORE FOLLOWING THIS

STATUS UPDATE I WILL SEND A MOTION TO THE COURT TO RESPECTFULLY REQUEST THAT THE SCHEDUELING ORDER BE SUPERVISED BY JUDGE MIX TO ENSURE I HAVE A FAIR CHANCE AT THIS ENDEAVOR. I DO NOT KNOW IF COUNCIL FOR THE DEFENSE WILL OR WILL NOT OBJECT TO THIS MOTION AS HE SEEEMS TO ALWAYS BE UNAVAILABLE. I CAN ONLY ASSUME HE WILL OBJECT. I'M SORRY TO HAVE TO MAKE THIS REQUEST AT WHAT SEEEMS TO BE THE LAST MINUTE BUT I FEEL I HAVE NO CHOICE IN THE MATTER AS TIME IS RUNNING OUT, ALSO IN THE MOTION I WILL ASK THE COURTS PERMISSION TO APPEAR VIA TELEPHONE AT THE SCHEDUELING CONFERENCE. THANK YOU.

BERNARD KENNETH MYERS, PLAINTIFF

Bernard K. Myers 10-18-12

Appendix D

UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO
FACSIMILE COVER SHEET

Pursuant to D.C.COLO.CivR 5.1, this cover sheet must be submitted with any facsimile filing. A pleading or paper not requiring a filing fee and no longer than ten pages, including all attachments, may be filed with the clerk by means of facsimile during a business day. Facsimiles received by the clerk after 5:00 p.m. (Mountain Time) will be considered filed as of the next business day.

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1. Date of transmission: 10-18-12
2. Name of attorney or *pro se* party making the transmission: Bonnie Myrick, Pro Se
Facsimile number: 432-214-5044 Telephone number: _____
3. Case number, caption, and title of pleading or paper: 12-cv-2317 REB-KLM
Status update
4. Number of pages being transmitted, including the facsimile cover sheet: 4
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(Rev. (12/08)