

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

OCT 18 2012

JEFFREY P. COLVELL
CLERK

BERNARD KENNETH MYERS, PLAINTIFF

VS.

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-SCHEDUELING
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 SCHEDUEL 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 ITS 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 AVAILIABLE AND PUT ME ON HOLD. SHE CAME BACK A FEW

SECONDS LATER AND TOLD ME HE WAS NOT AVAILIABLE 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 SEEMS TO ALWAYS BE UNAVAILABLE. I CAN ONLY ASSUME HE WILL OBJECT. I'M SORRY
TO HAVE TO MAKE THIS REQUEST AT WHAT SEEMS 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.LCivR 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.

Clerk's Office facsimile telephone number: 303-335-2714

1. Date of transmission: 10-18-12
2. Name of attorney or *pro se* party making the transmission: Bernie Myers, Pro Se
Facsimile number: 432-214-5094 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: 7
Instructions, if any: _____

(Rev. (12/08))