

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 02-cv-01827-RPM-LTM

TIBERIU KLEIN, individually and as
Executor of the Estate of CLAUDIA ZVUNCA,

Plaintiff,

v.

WESLEY JAY TATUM and
GREYHOUND LINES, INC.,

Defendants.

ORDERS

On August 15, 2013, defendant Greyhound Lines, Inc. moved for summary judgment of dismissal, arguing that Tiberiu Klien lacks authority under Illinois law to prosecute this action as executor of the Estate of Claudia Zvunca. (#224). Presently, the plaintiff's response to that motion is due on November 21, 2013.

On November 19, 2013, Klein filed a motion (#243), which includes several requests. First, Klein asks that the Court modify its previous orders regarding the applicability of Illinois law. That request is rejected.

Alternatively, Klein moves pursuant to Fed.R.Civ.P. 17 to substitute himself as the Administrator of the Estate of Claudia Zvunca. Klein states that he has been appointed as the successor administrator of the Estate of Claudia Zvunca, upon the withdrawal of the former administrator, F. John Cushing III. As evidence of that status, Klein submitted a certified copy

of orders of the Probate Division of the Circuit Court of Cook County, Illinois, dated November 18, 2013.

Klein also moved for a stay (#244), requesting that briefing on the defendant's motion for summary judgment be stayed until after the court rules on his motion to substitute. In the alternative, he requests a 28-day extension of time to respond to the defendant's motion for summary judgment.

Upon consideration of these motions, it is

ORDERED that the plaintiff's motion to substitute is considered to be his response to the defendant's motion for summary judgment; it is

FURTHER ORDERED that the plaintiff's motion to stay (#244) is moot, and it is

FURTHER ORDERED that defendant Greyhound Lines shall respond to the plaintiff's motion to substitute (#243) on or before December 16, 2013, and it is

FURTHER ORDERED that defendant Greyhound Lines' reply in support of its motion for summary judgment shall be filed on or before December 16, 2013.

Dated: November 20, 2013

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge