

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 03-cv-00387-PAB-MJW

WALLACE MITCHELL,

Plaintiff,

v.

KEVIN ESTRADA, et al.,

Defendants.

MINUTE ORDER

Entered by Judge Philip A. Brimmer

This matter is before the Court on the Motion for an Extension of Time [Docket No. 364] and the Motion for Relief from Judgment [Docket No. 365] filed by plaintiff Wallace Mitchell. In his motions, plaintiff requests additional time to present arguments distinguishing this case from the Supreme Court's holding in *Kokkonen v. Guardian Life Ins. Co. of Am., Inc.*, 511 U.S. 375 (1994). Specifically, plaintiff argues that this case is distinguishable from *Kokkonen* because the settlement agreement here was entered by the Court without input "from either party on whether the final order should include a stipulation to retain jurisdiction." Docket No. 365 at 2. Because plaintiff did not have an opportunity to fully brief the settlement issue in his motion to reopen the case [Docket No. 359], the Court will grant plaintiff's request for an extension.

Accordingly, it is

ORDERED that the Motion for an Extension of Time of Thirty (30) Days [Docket No. 364] is **GRANTED**. It is further

ORDERED that the Motion for Relief from Judgment and/or Reconsideration [Docket No. 365] is **GRANTED**. It is further

ORDERED that, on or before November 26, 2012, plaintiff shall file a renewed motion to reopen the case.

DATED October 17, 2012.