

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Walker D. Miller

Civil Action No. 03-cv-00774-WDM

KATHY SANTANA,

Plaintiff,

v.

CITY AND COUNTY OF DENVER,

Defendant.

ORDER

This matter is before me on the Uncontested Motion to Strike Jury Demand (doc. no. 153). The basis for the motion is that only Plaintiff's disparate impact claim remains to be decided and general authority has concluded that a plaintiff is not entitled to a jury on such claims. Plaintiff does not dispute Defendant's position and indeed agrees to that position in her response to the previous motion to strike (see doc. no. 108). Given the parties' agreement, it is ordered that the jury demand be stricken and this matter shall be tried to the court.

DATED at Denver, Colorado, on April 15, 2009.

BY THE COURT:

s/ Walker D. Miller
United States District Judge

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