

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior Judge Zita Leeson Weinshienk

Civil Action No. 04-cv-02616-ZLW-KLM

KERRY R. HICKS,

Plaintiff,

v.

THE CADLE COMPANY,  
BUCKEYE RETIREMENT CO., LLC, LTD.,  
WILLIAM E. SHAULIS, and  
DANIEL C. CADLE,

Defendants.

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ORDER

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The matter before the Court is Defendants' Motion For Reconsideration Or In The Alternative For A Stay Of The Court's March 31, 2010 Order To Allow The Defendants To Seek A Stay From The Tenth Circuit Court Of Appeals Or The United State Supreme Court (Doc. No. 397). The Court has reviewed carefully the moving and responding papers and the applicable legal authority, and also has reviewed Defendants' Notice Of Filing Of Motion To Stay Mandate At Tenth Circuit Court Of Appeals (Doc. No. 399). It is

ORDERED that Defendants' Motion For Reconsideration Or In The Alternative For A Stay Of The Court's March 31, 2010 Order To Allow The Defendants To Seek A Stay From The Tenth Circuit Court Of Appeals Or The United State Supreme Court (Doc. No. 397) is granted to the extent that it seeks a stay of this Court's March 31, 2010, Order (Doc. No. 395) pending the Tenth Circuit Court of Appeals' disposition of

Defendants' Motion For Stay Of Execution On Expedited Basis filed on April 2, 2010, in the Tenth Circuit Court of Appeals. It is

FURTHER ORDERED that this Court's Order of March 31, 2010 (Doc. No. 395) is stayed until further order of the Court. It is

FURTHER ORDERED that, within one business day after the Tenth Circuit Court of Appeals issues a ruling on Defendants' Motion For Stay Of Execution On Expedited Basis, Defendants shall file with this Court a notice of ruling attaching a copy of the Tenth Circuit's ruling. This Court thereafter will address the status of the stay ordered herein. It is

FURTHER ORDERED that if the Tenth Circuit Court of Appeals has not issued a ruling on Defendants' motion on or before April 19, 2010, the parties shall file a joint status report with this Court on April 20, 2010.

DATED at Denver, Colorado, this 6th day of April, 2010.

BY THE COURT:



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ZITA LEESON WEINSHIENK, Senior Judge  
United States District Court