

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 06-cv-00540-WYD-BNB

COLLEGE PHARMACY, INC.,

Plaintiff,

v.

JOHN N. RUTH;
KEVIN J. HENRY;
DANIEL DAILEY;
METRAGEN PHARMACEUTICALS, INC., and
RENAISSANCE COMPOUNDING PHARMACY, LLC,

Defendants.

ORDER OF ADMINISTRATIVE CLOSURE

THIS MATTER is before the Court upon a review of the file. On September 24, 2007, I granted Defendants John N. Ruth, Kevin J. Henry, and Renaissance Compounding Pharmacy, LLC's Motion to Stay, and stayed the case as to those Defendants only. The Motion to Stay requested that the case be stayed until after a criminal indictment filed against Kevin Henry, College Pharmacy and others was resolved. On October 2, 2007, a default judgment was entered as to the Defendants that were not the subject of the stay—Daniel Dailey and Metragen Pharmaceuticals, Inc. Thus, the stay is in effect as to all the remaining Defendants.

I note that this case has been stayed for some time and it is uncertain when the criminal case will be concluded. Accordingly, for purposes of judicial economy, I

believe that this case should be administratively closed. The parties can seek to reopen it when the criminal case is completed. It is therefore

ORDERED that, pursuant to D.C.COLO.LCivR 41.2, this case is administratively closed to be reopened for good cause shown. Good cause for reopening includes the completion of the criminal case and the parties' stated intention to go forward with this action.

Dated: March 31, 2009

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge