

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 06-cv-01598-REB-CBS

HELENA C. HATCH,

Plaintiff,

v.

FEDERATED RETAIL HOLDINGS, INC., a New York corporation,
d/b/a THE MAY DEPARTMENT STORES COMPANY, and
METROPOLITAN LIFE INSURANCE COMPANY, a New York corporation,

Defendants.

ORDER DIRECTING ADMINISTRATIVE CLOSURE

Blackburn, J.

The matter comes before the court *sua sponte*. The court has reviewed with concern the progress, *vel non*, of the prosecution of this civil action.

The action was commenced on August 11, 2006, on the filing of the complaint. The action was at issue effective with the filing of the answer on August 31, 2006.

On April 26, 2007, the magistrate judge entered a Minute Order [#37]¹ granting plaintiff's Unopposed Motion for Modification of Scheduling Order And Pretrial Order [#35] filed April 25, 2007. The Scheduling Order And Pretrial Order [#14] entered November 3, 2006, was modified to provide, *inter alia*, that plaintiff's brief and proposed findings of fact and conclusions of law shall be filed within 20 days following a ruling by this court adverse to the plaintiff on its objections [#33] to the order [#32] of the

¹ “[#37]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.

magistrate judge denying plaintiff's renewed motion for limited discovery [#25].

This court entered its order Overruling Rule 72 Objection to Order of the Magistrate Judge [#45] on August 26, 2009. Thus, pursuant to the modified scheduling order, plaintiff's opening brief and proposed findings of fact and conclusions of law were due on or about September 16, 2009. To date no such brief or proposed findings and conclusions have been filed. Plaintiff has not moved to extend the time for filing the required brief. Given the totality of relevant circumstances, the court exercises its discretion under D.C.COLO.LCivR 41.2, to direct that the clerk close this civil action administratively.

THEREFORE, IT IS ORDERED that pursuant to D.C.COLO.LCivR 41.2, the clerk is **DIRECTED** to close this civil action administratively, subject to reopening for good cause.

Dated September 30, 2009, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge