

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 07-cv-01355-LTB-MJW

UNITED STATES OF AMERICA FOR THE USE AND BENEFIT OF SUN CONSTRUCTION  
COMPANY, INC., a Colorado corporation; and  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a Maryland corporation,

Plaintiff,

v.

TORIX GENERAL CONTRACTORS, LLC, a Colorado limited liability company f/k/a Alliance  
General Contractors, LLC;  
TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, a Connecticut  
corporation; and  
ST. ANDREWS/ALLIANCE JOINT VENTURE, a joint venture,

Defendants.

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**ORDER**

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As set forth on the record during the telephonic conference held on May 13, 2011, at 9:30  
am., it is HEREBY ORDERED THAT:

1. Defendants' Motion to Vacate and Reset Hearing Set for May 18, 2011 [**Doc # 303**] is GRANTED. As such, Defendants' Motion to Stay Judgment Pending Appeal and For Approval of Supersedeas Bond [Doc # 285] is set for hearing on **Tuesday, May 31, 2011 at 9:00 a.m.** in Courtroom C401, Bryon G. Rogers United States Courthouse, 1929 Stout Street, Denver Colorado.

2. I GRANT Fidelity and Deposit Company of Maryland's Joinder in Sun Construction, Inc.'s Response to Defendants' Motion to Stay Judgment Pending Appeal and for Approval of Supersedeas Bond [**Doc # 293**].

3. At that time I will also hear argument as to entitlement on Sun Construction, Inc.'s F.R.C.P. 59 Motion to Amend Judgment to Include Sun's Attorneys Fees, Costs, and Prejudgment Interest and Fees and Costs Incurred by Sun to Intervenor Plaintiff F&D [Doc # 261]. In so doing, I HOLD IN ABEYANCE Plaintiff Sun Construction Company, Inc.'s Motion Requesting a Hearing Regarding the Reasonability of Plaintiff's Requested Attorney's Fees [**Doc #268**].

4. I GRANT Fidelity and Deposit Company of Maryland's Joinder Re: Motion to Amend Judgment to Include Costs and Pre-Judgment Interest [**Doc # 262**].

Dated: May 13, 2011 in Denver, Colorado.

BY THE COURT:

s/Lewis T. Babcock  
LEWIS T. BABCOCK, JUDGE