

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-02299-RPM

STEWART TITLE GUARANTY COMPANY, a Texas corporation,

Plaintiff,

v.

HARALD DUDE, individually and as general partner of DEE INVESTMENTS LIMITED PARTNERSHIP, Nevada limited partnership,
DENISE ROBERTS, individually and as general partner of DEE INVESTMENTS LIMITED PARTNERSHIP, Nevada limited partnership, and
DEE INVESTMENTS LIMITED PARTNERSHIP, a Nevada limited partnership

Defendants,

DEE INVESTMENTS LIMITED PARTNERSHIP, a Nevada limited partnership,

Third-Party Plaintiff,

v.

STEWART TITLE OF COLORADO, INC., a Colorado corporation;
WEAVER & MITCHELL, INC., a Colorado registered trade name; and
DAVID LESTER, an individual,

Third-Party Defendants.

ORDER DENYING MOTION TO SEVER

In its response to the Order to Show Cause of June 24, 2011, filed July 5, 2011, the plaintiff requests a severance of the claims against Denise Roberts and a grant of fourteen days to remove its claims against Ms. Roberts to the Bankruptcy Court. The motion is procedurally inappropriate. The plaintiff may proceed forthwith to file its claim in the bankruptcy proceedings and after filing move to dismiss, without prejudice, the claims made against Denise Roberts in this case. Accordingly it is

ORDERED that the request for severance is denied.

DATED: July 6th, 2011

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge