

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 07-cv-02503-WJM-MJW

STEVEN A. STENDER, and
INFINITY CLARK STREET OPERATING, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

JAMES A. CARDWELL, et al.,

Defendants.

**ORDER DENYING AS MOOT MOTION FOR COURT APPOINTED
ARBITRATOR AND ADMINISTRATIVELY CLOSING CASE**

On May 12, 2010, the Court granted Plaintiffs' Motion to Compel Arbitration and ordered the parties to arbitrate the individual shareholders' claims. (ECF No. 114.) On March 18, 2011, after nearly a year of being unable to agree on an arbitrator, Plaintiffs filed a Motion for Court Appointed Arbitrator (ECF No. 147) asking the Court to intervene in the process and choose an arbitrator for the parties. The Motion for Court Appointed Arbitrator is currently before the Court for ruling.

On May 16, 2011, the parties filed a Joint Status Report stating that they had "agreed to jointly retain former United States District Court Judge Bruce W. Kauffman to serve as the neutral arbitrator in the arbitration ordered by Judge Robert E. Blackburn in his May 12, 2010 Order." (ECF No. 158.) Because the parties have agreed on an arbitrator, the Court DENIES the Motion for Court Appointed Arbitrator as MOOT. Additionally, the Court HEREBY ORDERS that this case is ADMINISTRATIVELY

CLOSED pursuant to D.C.COLO.LCivR 41.2. The parties are GRANTED leave to move to reopen the case upon a showing of good cause once arbitration is complete.

Dated this 18th day of May, 2011.

BY THE COURT:



William J. Martínez
United States District Judge