

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 08-cv-00479-RPM

VIRGINIA BALLARD,

Plaintiff,

v.

DEAN FOODS COMPANY (a Delaware corporation),
DEAN WEST, LLC (a Delaware Limited Liability Company), and
SOUTHERN FOODS GROUP, LLC (a Delaware Limited Liability Company)
doing business as MEADOW GOLD DAIRY,

Defendants.

ORDER DENYING MOTION TO AMEND SCHEDULING ORDER

On January 4, 2010, the plaintiff filed a Status Report and Unopposed Motion to Amend Scheduling Order. The status report indicates that the plaintiff's bankruptcy proceeding was reopened on November 17, 2009, and that further proceedings are dependent upon the position to be taken by the U.S. Bankruptcy Trustee assigned. The purpose of the reopening appears to be an attempt to avoid dismissal of this case for the failure to list this proceeding in her bankruptcy filing. Because the viability of this civil action may depend upon further bankruptcy proceedings, the stay order entered on November 24, 2009, will remain in effect. It is

ORDERED that the motion to amend scheduling order is denied and it is

FURTHER ORDERED that plaintiff's counsel shall report to this Court immediately following any further action in the bankruptcy proceeding.

DATED: January 5th, 2010

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge