

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 08-cv-00815-WYD-BNB

JOHN STAUFFER,

Plaintiff,

v.

KAREN E. HAYES, D.O.;
A WOMAN'S PLACE OF FORT COLLINS, P.L.L.P.;
PAM ROYS;
PETER DUSBABEK;
PETER DAUSTER;
TODD VRIESMAN;
MONTGOMERY, KOLODNY, AMATUZIO & DUSBABEK, L.L.P.;
E. BRADFORD MARCH, III;
MARCH, OLIVE, & PHARRIS, L.L.P.;
DANIEL J. KAUP; and
JOLENE C. BLAIR,

Defendants.

ORDER

THIS MATTER is before the Court on Plaintiff's Motion to Stay Ruling on Magistrate's Recommendations [doc. #88, filed January 6, 2009]. On December 12, 2008, Magistrate Judge Boland recommended that five pending motions to dismiss filed by various Defendants be granted insofar as they seek dismissal of this case for lack of subject matter jurisdiction and that Plaintiff's complaint accordingly be dismissed in its entirety. He further recommended that the motions to dismiss be denied as moot in all other respects and that Plaintiff's three pending motions be denied as moot. Plaintiff filed the motion at hand along with his objections to Magistrate Judge Boland's

Recommendation on January 6, 2009. Defendants Judge Daniel J. Kaup and Judge Jolene C. Blair responded to the motion at hand on January 7, 2009 [doc. #89]. Defendants Peter Dusbabek; Peter Dauster; Todd Vriesman; and Montgomery, Kolodny, Amatuzio & Dusbabek, LLP responded on January 23, 2009 [doc. #92]. Defendant Karen Hayes responded on January 27, 2009 [doc. #94].

Plaintiff provided as his grounds for the motion that with the exception of Defendant March's Motion to Dismiss, he never received any of the other motions to dismiss. However, Plaintiff responded to Defendant Roy's Motion to Dismiss on July 18, 2008 [doc. #45], Defendants Kaup and Blair's Motion to Dismiss on July 18, 2008 [doc. #48], and all other Defendants' Motions to Dismiss on July 21, 2008 [doc. #47]. Accordingly, it appears that Plaintiff's must have received those motions to dismiss and that his motion is unsubstantiated. It is hereby

ORDERED that Plaintiff's Motion to Stay Ruling on Magistrate's Recommendations [doc. #88, filed January 6, 2009] is **DENIED**.

Dated: February 25, 2009

BY THE COURT:

s/ Wiley Y. Daniel _____
Wiley Y. Daniel
Chief United States District Judge