

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 08-cv-01381-MSK-CBS

THE CASCADE FUND, LLP, on behalf of itself and a class of similarly situated persons,

Plaintiff,

v.

ABSOLUTE CAPITAL MANAGEMENT HOLDINGS LIMITED,
ABSOLUTE GENERAL PARTNER LIMITED,
FLORIAN HOMM,
SEAN EWING,
JOHN A. FLEMING,
RONALD E. TOMPKINS, and
ULLRICH ANGERSBACH,

Defendants.

**ORDER OF OPPORTUNITY TO HAVE DISPOSITIVE MOTIONS
REFERRED TO MAGISTRATE JUDGE**

THIS MATTER comes before the Court *sua sponte*.

The Court **FINDS** that the following dispositive motion (**#26**) has been pending in this matter for six months or longer and due to press of criminal cases may not be determined in as expedited a manner as the undersigned would like. Pursuant to 28 U.S.C. § 636(c)(1), FED. R. Civ. P. 72(b) and D.C.COLO.LCivR 72.3(A), (B) and (D), parties may consent to **final** determination of the motion by a magistrate judge, selected by random draw.

IT IS THEREFORE ORDERED that should the parties desire to have the pending dispositive motion and the Amended Motion to Dismiss at docket entry **#46** referred to a magistrate judge for final determination, they shall file a unanimous consent by all parties within

ten days of the date of this Order, failing which the motion (and its Amendment at #46) shall be determined by the undersigned.

DATED this 9th day of April, 2009.

BY THE COURT:



Marcia S. Krieger

Marcia S. Krieger
United States District Judge