

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-01407-BNB-MEH

BART D. KIMBER,

Plaintiff,

v.

DR. DONALD C. WINTER, Secretary of the Department of Navy,

Defendant.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on February 6, 2009.**

Defendant's Unopposed Motion to Vacate Settlement Conference Pending Rule on Defendant's Motion to Dismiss or in the Alternative to Transfer for improper Venue [filed February 5, 2009; docket #30] is **granted**. The Settlement Conference set in this matter for Friday, February 13, 2009, at 10:00 a.m. is hereby **vacated**. The parties shall submit a Status Report regarding resetting a settlement conference within five days of an order adjudicating the pending Motion to Dismiss [docket #8].