

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

Civil Action No. 08-cv-01463-RPM-MJW

EPC Corporation, an Arizona corporation;
DENNIS C. SHAW;

Plaintiffs,

v.

JAMES G. KREUTZER,
HERMOSA PARK, LLC, a Colorado limited liability company;
CHARLES SHAFER, II;
MICHAEL MCQUINN;
MICHAEL MCQUINN AS TRUSTEE FOR THE MICHAEL MCQUINN PROFIT SHARING PLAN;
BARRY MASON;
BRANDON ROFF;
BRET MASON;
DANIEL WANSTRATH;
DIANE ORRELL-LOPEZ;
DYLAN NORTON;
JACKIE ONEY and
TONY ONEY, husband and wife;
JANET L. PETTIGREW AS TRUSTEE OF THE JANET L. PETTIGREW REVOCABLE TRUST
DATED FEBRUARY 27, 2006;
LESLIE R. FARRELL;
LOIS CARPENTER;
MATTHEW SPOWART;
MCKOWN AND MCKOWN, LLC, a Colorado limited liability company;
MREI, LLC, an Alaskan limited liability company;
R. KEN CARPENTER;
ROBERT WALLACE;
RONALD W. PETTIGREW AS TRUSTEE OF THE RONALD W. PETTIGREW REVOCABLE
TRUST DATED FEBRUARY 27, 2006;
ROYAL LILLGE;
SULTANA INVESTMENT LIMITED PARTNERSHIP, an Alaska limited partnership;
THOMAS L. GRAMS;
THOMAS A. ST. OURS; and
WILLIAM PEASE FAMILY LIMITED PARTNERSHIP, an Alaska limited partnership,

Defendants.

ORDER REVOKING ORDER OF REFERENCE AND FOR STATUS CONFERENCE

On February 6, 2009, Magistrate Judge Michael J. Watanabe filed a recommendation regarding plaintiffs' motion for judgment by default against defendant Hermosa Park, LLC. That

recommendation included findings of fact and conclusions of law based on an evidentiary hearing held on January 30, 2009. Upon review of the pleadings on file, it appears that for the Court to adopt the findings and conclusions recommended by Magistrate Judge Watanabe there is prejudice to the other defendants in that the plaintiffs' allegations of fraud are the basis for the contention that the plaintiffs have no liability as guarantors of promissory notes to the defendants. Accordingly, no judgment will enter at this time and to become familiar with this matter and review case management in this case, it is now

ORDERED that the order of reference to Magistrate Judge Watanabe is vacated and it is

FURTHER ORDERED that a status conference in this matter will be held on **March 17, 2009, at 2:00 p.m.** in Courtroom A, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado.

Dated: February 26th, 2009

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge