

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 08-cv-01819-REB-MEH

NORTHWEST PARKWAY PUBLIC HIGHWAY AUTHORITY,

Plaintiff,

v.

BAYERISCHE HYPO-UND VEREINSBANK AG, New York Branch,

Defendant.

ORDER DENYING DEFENDANT'S MOTION FOR SANCTIONS

Blackburn, J.

The matter before me is **HVB's Motion for Sanctions** [#98],¹ filed January 12, 2010. I deny the motion. Defendant has not demonstrated that any of the factors relevant to the award of attorney fees pursuant to 28 U.S.C. § 1927 or §13-17-102(4), C.R.S., pertain to the matters alleged in the motion, and I find no basis to exercise my inherent powers to imposed sanctions based on the actions of which defendant complains.²

THEREFORE, IT IS ORDERED as follows:

1. That **HVB's Motion for Sanctions** [#98], filed January 12, 2010, is **DENIED**;
- and

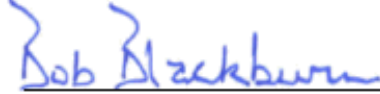
¹ "[#98]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

² Moreover, defendant fails to substantiate any reasonable amount of attorney fees allegedly owed. Its offer to do so at some unspecified future date comes too late.

2. That **Plaintiff's Motion To Strike and Disregard "Untimely" Reply Brief and Declaration Filed By Defendant (Docs. 127 and 128) [#129]**, filed March 1, 2010, is **DENIED AS MOOT**.

Dated August 20, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge