

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02014-WYD-CBS

LUFT FARMS, LLC, a Colorado limited liability company;
ALLEN REUTER; and
CONNIE REUTER,

Plaintiffs,

v.

THE WESTERN SUGAR COOPERATIVE, a Colorado Cooperative Corporation,

Defendant.

MINUTE ORDER

ORDER ENTERED BY CHIEF JUDGE WILEY Y. DANIEL

1. In light of the Amended Complaint [doc. #60], filed April 2, 2009, and Defendant's Motion to Dismiss the Amended Complaint [doc. #61], filed April 17, 2009, Defendant's Motion to Dismiss [doc. #19], filed November 10, 2008, is **DENIED AS MOOT WITHOUT PREJUDICE**.
2. Plaintiffs shall respond to Defendant's Motion to Exceed Page Limit for Brief in Support of Motion to Dismiss the Amended Complaint [doc. #63], filed April 17, 2009, not later than **Tuesday, April 28, 2009**.
3. Not later than **Tuesday, May 5, 2009**, Defendant shall advise the Court to what extent Defendant's Motion to Strike Class Allegations and Dismiss "Class Claims" [doc. #20], filed November 10, 2008, is impacted by the Amended Complaint. To the extent the Amended Complaint contains new allegations that impact the Motion and need to be addressed, Defendant should withdraw the Motion and file a new Motion with respect to the Amended Complaint.

Dated: April 21, 2009.