

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02204-MJW-KLM

MADISON INVESTMENT TRUST,

Plaintiff and Counterclaim Defendant,

v.

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.,

Defendant and Counterclaimant.

MINUTE ORDER

Entered by United States Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that the Motion of Defendant and Counterclaimant The Bank of New York Mellon Trust Company N.A. for Leave to Take Limited Discovery Regarding Madison's Authorization of Counsel to Settle this Action (docket no. 117) is DENIED. This court does not need a response to rule on this motion consistent with D.C.COLO.LCivR 7.1 C. that states, *in pertinent part*, "... **Nothing in this rule precludes a judicial officer from ruling on a motion at any time after it is filed.**"

In this case, a court trial is set to begin on the merits of this case on April 12, 2010 for five (5) days. Magistrate Judge Mix has been referred the Motion of Defendant/Counterclaimant the Bank of New York Mellon Trust Company, N.A. to Enforce Settlement (docket numbers 114 and 119). If Magistrate Judge Mix determines that a hearing is necessary on docket numbers 114 and 119, she will inform the parties of the same.

Date: March 31, 2010
