

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:08-cv-002204-MJW-KLM

**MADISON INVESTMENT TRUST**, a Delaware investment trust,  
Plaintiff, Counterclaim-Defendant,

v.

**THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.**,  
a national banking association,  
Defendant, Counterclaimant.

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ORDER GRANTING MOTION REQUESTING  
THAT COURT ADDRESS AT FINAL PRETRIAL CONFERENCE  
DISPUTE REGARDING EXISTENCE OF SETTLEMENT OF ACTION

( DOCKET NO 90 )


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THIS MATTER comes before the Court on **MOTION REQUESTING THAT COURT ADDRESS AT FINAL PRETRIAL CONFERENCE DISPUTE REGARDING EXISTENCE OF SETTLEMENT OF ACTION** [Motion at Docket # 89]. The Court, having reviewed the Motion, the file, and otherwise being fully advised, hereby

ORDERS that the Motion is granted and that the Court will address the dispute regarding the existence of a settlement of this action at the Final Pretrial Conference on Monday, March 22, 2010, at 8:30 a.m.

DATED this 19<sup>th</sup> day of March, 2010.

BY THE COURT:

  
Magistrate Judge Michael J. Watanabe