

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
SENIOR JUDGE WALKER D. MILLER

Civil Action No. 08-cv-02363-WDM-MJW

ASPEN VALLEY RANCH, LLC,

Plaintiff,

v.

BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO,

Defendant.

ORDER ON MOTION TO STAY

Miller, J.

This case is before me on the Joint Motion for Stay of Proceedings (doc no 30). This case concerns the decision by the Pitkin County Board of County Commissioners to condition a land use approval issued to Plaintiff on a determination of whether a public road traverses Plaintiff's property. The parties indicate that they are negotiating the terms of a proposed settlement that, if successfully concluded, will resolve all the issues in this case. They request a stay of the proceedings, to and including November 30, 2009, in order to continue the negotiations.

Accordingly, it is ordered:

1. The Joint Motion for Stay of Proceedings (doc no 30) is granted. This case is stayed until November 30, 2009. If the case is not dismissed before that date, the parties shall file a status report on December 1, 2009, advising of the status of the matter and the parties' intent.
2. The Motion for Order to Certify Record (doc no 5) filed by Plaintiff is

denied without prejudice to refiling in the event that litigation recommences.

DATED at Denver, Colorado, on September 1, 2009.

BY THE COURT:

s/ Walker D. Miller
United States Senior District Judge