

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Michael J. Watanabe

Civil Action No. 09-cv-00062-WDM-MJW

GAGE, INC.,

Plaintiff,

v.

RANGE FUELS, INC , f/k/a KERGY, INC., et al.,

Defendant(s).

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**STIPULATED ORDER GRANTING MOTION FOR TEMPORARY STAY**

*(Docket No. 17)*

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Plaintiff's motion for a temporary stay [doc. 11] and supporting memorandum [doc. 12] came before Magistrate Judge Michael J. Watanabe (the "Court") pursuant to an order of reference by Senior Judge Walker D. Miller on March 20, 2009 [doc. 13]. The Court has reviewed Defendants' response [doc. 17] and is otherwise sufficiently advised in the premises.

IT IS HEREBY ORDERED that plaintiff's motion for a temporary stay is GRANTED on the following terms and conditions:

1. All proceedings in the above-captioned case (the "Colorado Action") are temporarily STAYED pending the earlier of (a) a ruling in the United States District Court for the District of Utah on the motion to dismiss or, in the alternative, to transfer filed on March 4, 2009 in Case No. 2:08-cv-00057 DB (the "Utah Action"), or (b) June 1, 2009;
2. The scheduling/planning conference which was (re)set for May 4, 2009 in the Colorado Action [doc. 14] is VACATED; and
3. Within fourteen (14) days of the automatic expiration of the temporary stay pursuant to paragraph 1(a) or (b), above, counsel for the parties to the Colorado Action shall submit to this Court an updated proposed Scheduling Order in the manner prescribed in the January 27, 2009 Order Setting Scheduling/Planning Conference [doc. 5], whereupon the Court will set a new date for a scheduling/planning conference and/or enter such other orders as it deems appropriate in light of the status of the Utah Action.

DONE AND SIGNED this 8<sup>th</sup> day of April, 2009.

BY THE COURT:



MICHAEL J. WATANABE  
U.S. MAGISTRATE JUDGE  
DISTRICT OF COLORADO

