

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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~~PROPOSED~~ STIPULATED ORDER EXTENDING TEMPORARY STAY  
(Docket No. 22)

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On or about April 9, 2009, this Court entered a Stipulated Order Granting Motion for Temporary Stay [doc. 18], which stayed all proceedings in the above-captioned case (the "Colorado Action") 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 ("Motion to Dismiss"), filed in Case No. 2:08-cv-00057 DB (the "Utah Action"), or (b) June 1, 2009.

On or about June 5, 2009, recognizing that the June 1, 2009 date had passed with no ruling in the Utah Action, the Court entered a Stipulated Order Extending Temporary Stay [doc. 19], extending the stay of the proceedings in this Colorado action pending the earlier of (a) a ruling on the Motion to Dismiss in the Utah Action, or (b) September 1, 2009.

The September 1, 2009 date having now passed with no ruling in the Utah Action, the parties to the Colorado Action agree that good cause exists to extend the earlier stay.

IT IS HEREBY ORDERED that the temporary stay is EXTENDED on the following terms and conditions:

1. All proceedings in the Colorado Action are STAYED pending the earlier of (a) a ruling on the March 4, 2009 motion to dismiss or, in the alternative, to transfer the Utah Action, or (b) December 1, 2009; and
2. Within fourteen (14) days of the automatic expiration of the extended 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

October 19, 2009.

BY THE COURT:

*nunc pro tunc*  
*Sep 10<sup>th</sup>, 2009*

*Michael J. Watanabe*  
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Michael J. Watanabe  
United States Magistrate Judge

APPROVED:

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