

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00162-REB-KLM

E.T. MEIJER, In Capacity as Trustee in Bankruptcy for KPNQwest N.V., and
MARCEL WINDT, In Capacity as Trustee in Bankruptcy for KPNQwest, N.V., et al.,

Plaintiffs,

v.

QWEST COMMUNICATIONS INTERNATIONAL, INC.,
JOHN A. McMASTER,
JOSEPH P. NACCHIO, and
ROBERT S. WOODRUFF,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Defendants' Unopposed Motion to Stay Discovery and Vacate Planning/Scheduling Conference** [Docket No. 18; Filed March 18, 2009] (the "Motion"). Defendants indicate that they intend to file a Motion to Dismiss on the grounds of *forum non conveniens* and failure to state a claim. Defendants request a complete stay of discovery while their dispositive motions are pending, and Plaintiff does not oppose the request.

IT IS HEREBY **ORDERED** that the Motion to Stay is **GRANTED in part and DENIED without prejudice in part**. The request to vacate the scheduling conference is **granted**. Because there is no authority, and little rational basis, for ordering a stay *prior* to the filing of a dispositive motion, the request to stay the case is **denied without prejudice**.

IT IS FURTHER **ORDERED** as follows: the scheduling conference set for April 2, 2009 at 11:30 a.m. is **vacated** and will be reset if necessary. Defendants shall file the motions to dismiss referred to in the Motion on or before **May 1, 2009**.

Dated: March 24, 2009