

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **09-cv-198-JLK-KLM**

SYPRIS TECHNOLOGIES, INC.,

Plaintiff,

v.

**PRIVATE ESCAPES PLATINUM, LLC and
ULTIMATE ESCAPES SIGNATURE CLUB, LLC,**

Defendants.

Civil Action No. **09-cv-800-JLK-MEH**

THOMAS MAHER,

Plaintiff,

v.

**PRIVATE ESCAPES PLATINUM, LLC, and
ULTIMATE ESCAPES SIGNATURE CLUB, LLC,**

Defendants.

ORDER

Kane, J.

The Motions to Dismiss of Defendants Private Escapes Platinum, LLC, and Defendant Ultimate Escapes Signature Club, LLC, in 09-cv-198-JLK-KLM (Docs. 13 and 15) are **DENIED** without prejudice. No similar motion has been filed in 09-cv-800-JLK-MEH.

While I normally wait until the attorneys for at least one party ask for an order of reference to a magistrate judge for purposes of a settlement conference, I am not waiting in these cases. It is clear from a review of both files that an early settlement conference is prudent and may save the parties the dissatisfaction of spending more money litigating than is warranted given the nature of the dispute. Magistrate Judge Mix, the judicial officer assigned to 09-cv-198, has graciously agreed to a referral for both cases. Magistrate Judge Hegarty, assigned to 09-cv-800, concurs.

Accordingly, IT IS ORDERED that both civil actions are referred to Magistrate Judge Mix to conduct such settlement conferences as she deems appropriate. In the meantime, the parties shall adhere to the requirements of the Federal Rules of Civil Procedure for filing answers, counterclaims and such other motions as seem irresistible to counsel.

Counsel are directed to review my recently updated pretrial procedures on the court's website, especially with respect to the requirement to file specific estimates of the costs of litigation.

Dated: April 30, 2009

s/John L. Kane
SENIOR U.S. DISTRICT JUDGE