

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer

Civil Action No. 09-cv-00219-PAB-CBS

DOUGLAS A. MAYHEW,

Plaintiff,

v.

CHERRY CREEK MORTGAGE CO., INC., *et al.*,

Defendants.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE CRAIG B. SHAFFER

IT IS HEREBY ORDERED that Plaintiff's Motion for Leave (*doc. # 109*) is GRANTED. On or before **October 28, 2009**, the Plaintiff must either (1) file a First Amended Complaint *or* (2) file a response to all pending Rule 12 motions, as identified below:

1. Motion to Dismiss and for a More Definite Statement to Dismiss Claims Against Ziel, Bradshaw, Rychlec and Smith, by defendants Heather Bradshaw, Cherry Creek Mortgage Co., Inc., Christine Rychlec, Mike Smith, and Nora Ziel (filed 3/31/09; doc. #24) [Joined by defendant Guaranty Bank and Trust Company on (5/14/09; doc. #73)];
2. Motion to Dismiss, by defendants Bradley Davis, Joan Mills, Mortgage Electronic Registration Systems, Inc., Wells Fargo Asset Securities Corp., and Wells Fargo Bank, N.A. (filed: 4/03/2009; doc. #29) [Joined by defendant Guaranty Bank and Trust Company on (5/14/09; doc. #73)];
3. Motion to Dismiss Pursuant to Rules 12(b)(2), 12(b)(5) and 12(b)(6) FED.R.CIV.P., by defendant P.C. Wolf (filed 4/3/09; doc. #33);
4. Motion to Dismiss Party Complaint Pursuant to Fed.R.Civ.P. 12(b)(6), or, in the Alternative, Motion for Summary Judgment as to Claims Against Brice, Vander Linden & Wernick, P.C. and Joe M. Lozano, Jr., by defendants Brice, Vander Linden & Wernick, P.C., and Joe Lozano, Jr. (filed 4/17/09; doc. #47); and
5. Motion to Dismiss and Joinder in Various Co-Defendants' Pending Motions to Dismiss, by defendant Security Title Guaranty Co. (filed 5/1/09; doc. #63).

No further extensions will be granted.

IT IS FURTHER ORDERED that the Motion to Withdraw as Counsel (*doc. #112*) is GRANTED. Attorney P. Christian Wolf is relieved of any further representation of *Defendants Wells Fargo Bank, N.A., Wells Fargo Asset Securities Corporation, Mortgage Electronic Registration Systems, Inc., Joan Mills, Bradley Davis, and P.C. Wolf* in the above captioned matter. The Clerk of Court is instructed to terminate electronic notification to Mr. Wolf and to remove him from the electronic certificate of mailing.

DATED: October 5, 2009
