

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 09–cv–00309-MSK-KMT

SUZANNE SHELL,

Plaintiff,

v.

AMERICAN FAMILY RIGHTS ASSOCIATION,
LEONARD HENDERSON,
FAMILIES AT RISK DEFENSE ALLIANCE,
FRANCINE RENEE CYGAN,
MARK CYGAN,
ILLINOIS FAMILY ADVOCACY COALITION,
GEORGIA FAMILY RIGHTS, INC.,
NATIONAL ASSOCIATION OF FAMILY ADVOCATES,
CONNECTICUT DCF WATCH,
BRENDA SWALLOW,
RANDALL BLAIR, and
UNKNOWN DEFENDANTS DOE 1-15,

Defendants.

ORDER

This matter is before the court on Plaintiff’s “Motion for Order Reinstating Thomas Dutkiewicz as a Defendant” (Doc. No. 541, filed January 31, 2012). Thomas Dutkiewicz filed his response on February 6, 2012 (Doc. No. 554), and Plaintiff filed her reply on February 19, 2012 (Doc. No. 578). The motion is ripe for ruling.

Plaintiff named Thomas Dutkiewicz as a defendant in this matter. (Doc. No. 1.) Mr. Dutkiewicz filed a Motion to Dismiss and Quash Service of Summons for Lack of Personal

Jurisdiction (Doc. No. 66), which District Judge Marcia S. Krieger granted on March 31, 2010 (Doc. No. 397). Plaintiff now seeks to have Mr. Dutkiewicz reinstated as a defendant because he filed an *amicus curiae* brief on January 26, 2012 (Doc. No. 532).

In her Opinion and Order Granting and Denying Motions to Dismiss, Judge Krieger found that Mr. Dutkiewicz did not have the “requisite ‘continuous and systematic general business contacts’ with Colorado necessary to subject [him] to general jurisdiction in Colorado.” (Doc. No. 397 at 15–16.) Judge Krieger also found that Mr. Dutkiewicz had not “undertaken actions within or directed at Colorado sufficient to subject [him or the agent,] CPS Watch to jurisdiction here.” (*Id.* at 20.) Mr. Dutkiewicz’s filing of an *amicus curiae* brief in this matter does not change Judge Krieger’s analysis in this regard.

Therefore, it is

ORDERED that Plaintiff’s “Motion for Order Reinstating Thomas Dutkiewicz as a Defendant” (Doc. No. 541) is **DENIED**.

Dated this 22nd day of June, 2012.

BY THE COURT:



Kathleen M. Tafoya
United States Magistrate Judge