

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 09-cv-00636-REB-KLM

VIDEO PROFESSOR, INC., a Colorado corporation,

Plaintiff,

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant.

MINUTE ORDER¹

The matter comes before the court *sua sponte*. The court's **Trial Preparation Conference Order** [#16] entered today indicates that the court shall conduct a three (3) day jury trial. However, counsel for the defendant advised Judge Mix in open court during the Rule 16 Conference held today that the parties are requesting a three (3) day trial to the court. The proposed scheduling order did not indicate whether the parties sought a jury trial or a trial to the court. The court has concluded that the **Trial Preparation Conference Order** [#16] entered today should be vacated and a new trial preparation conference order shall be issued.

THEREFORE, IT IS ORDERED as follows:

1. That the court's **Trial Preparation Conference Order** [#16] entered today, is **VACATED**; and
2. That the court will issue a new trial preparation conference order indicating that the trial shall be a trial to the court.

Dated: July 9, 2009

¹This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.