

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 09-cv-00724-DME-MEH

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, INC.,

Plaintiff,

v.

DENVER HASLAM,  
COMMERCIAL CAPITAL, INC.,  
MIKEL MEWBOURN,  
M&B DEVELOPMENT GROUP, INC.  
FALL RIVER VILLAGE COMMUNITIES, LLC,  
ONEWEST BANK, FSB, and,  
DEUTSCHE BANK NATIONAL TRUST COMPANY,

Defendants.

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**ORDER**

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This matter comes before the Court on Plaintiff’s “Notice of Bankruptcy Trustee’s Position That Trial Set for April 18, 2011 is Subject to Automatic Stay Pending Relief From Stay and Corresponding Request for a Forthwith Order Vacating Trial Date” [Doc. 308]. Pursuant to the notice provided by American Family Mutual Insurance Company of the pending bankruptcy of Defendant Commercial Capital, Inc. (referred to as “CCI”), and the representation in the notice that the bankruptcy trustee asserts that the automatic stay applies to the proceedings in this case and the parties must, therefore, seek relief from the automatic stay, it is the Court’s intention to vacate the Final Trial Preparation Conference and trial date in this matter, as well as all other obligations outlined in the Court’s Order dated March 22, 2011 [Doc. 306]. The Court is preparing to issue such an Order as of close of business on Thursday, March 31, 2011. Any

party that wishes to file a memorandum and response to the notice provided by Plaintiff or in response to the notification of this Court's planned action on close of business on March 31, 2011, is ORDERED to file any such response that they desire to file no later than noon on Wednesday, March 30, 2011.

Dated this 24th day of March, 2011.

BY THE COURT:

*s/ David M. Ebel*

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U. S. CIRCUIT COURT JUDGE  
DISTRICT OF COLORADO