

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

Civil Action No. 09-cv-00818-CMA-KMT

JAMIE PAVICICH,

Plaintiff,

v.

AETNA LIFE INSURANCE COMPANY,

Defendant.

ORDER

This case comes before the court on Defendant's "Motion to Vacate Settlement Conference or, Alternatively, to Attend by Telephone" [Doc. No. 19, filed September 30, 2009]. Aetna requests that this court vacate the October 7, 2009 settlement conference because the parties are extremely unlikely to settle the case in its present posture and the expenditure of funds required for the proper persons to attend the conference will be wasted.

Aetna states that it was unable to obtain a position from the Plaintiff regarding the relief requested in the motion. I note that on July 7, 2009, I Ordered the parties to submit their confidential settlement statements on or before September 30, 2009. [Doc. No. 15 at 12.] Aetna, in spite of the motion now under consideration, complied with the court's Order. The plaintiff, to date, has not submitted any settlement statement to the court . Plaintiff thereby has indicated

both her lack of interest in a mediator for settlement being afforded to her by the court, as well as her lack of respect for the court's Orders.

Defendant's "Motion to Vacate Settlement Conference or, Alternatively, to Attend by Telephone" [Doc. No. 19, filed September 30, 2009] is GRANTED. The October 7, 2009 Settlement Conference is VACATED. If the parties determine that a future settlement conference would be beneficial, they shall file a motion requesting the same.

Dated this 2nd day of October, 2009.

BY THE COURT:



Kathleen M. Tafoya
United States Magistrate Judge