

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 09-cv-00860-WYD-BNB

JOHN W. GRATTON, IV,

Plaintiff,

v.

HOME DEPOT U.S.A., INC., a Delaware corporation, and  
ADOBEAIR, INC., an Arizona corporation,

Defendants.

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**ORDER**

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By a minute order [Doc. # 12, entered 6/5/2009] I set this matter for a settlement conference on September 11, 2009, at 1:30 p.m. At the parties' request, I rescheduled the settlement conference to October 28, 2009, at 10:00 a.m. See Minute Order [Doc. # 16, filed 9/4/2009]. The September 4 minute order also required the parties to submit confidential settlement statements by October 21, 2009, and warned that "[f]ailure to submit Confidential Settlement Statements on time may result in the Settlement Conference being vacated."

Defense counsel submitted a confidential settlement statement as required. Plaintiff failed to submit his statement within the time allowed, however, and despite repeated requests from my staff, no confidential settlement statement has been received to date.

IT IS ORDERED that the settlement conference set for October 28, 2009, at 10:00 a.m., is VACATED.

Dated October 27, 2009.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge