

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

Judge John L. Kane

Civil Action No. **09-cv-00938-JLK-KMT** (consolidated with No. 10-cv-00765-JLK)

JAMES P. TENILLE, ROBERT SMET, ADELAIDA DELEON and YAMILET

RODRIGUEZ, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

**THE WESTERN UNION COMPANY and WESTERN UNION FINANCIAL SERVICES,
INC.,**

Defendants.

ORDER RE Doc. 273, LETTER FROM MR. DORSEY

Kane, J.

In a letter dated September 9, 2013, Plaintiff Class Member and Settlement Objector Paul Dorsey takes issue with the Motion for Appeal Bond class counsel filed on behalf of the Settlement Class on August 12, 2013. The Motion sought an order requiring Mr. Dorsey and Ms. Sikora Nelson to post a cost bond pursuant to FRAP Rule 7 to secure the substantial expenditures the class will incur as a result of their appeals of the Class Action Settlement approved in this case last June. I granted the Motion in an Order issued first thing this morning, before Mr. Dorsey's letter came in (Doc. 272).¹

¹ While Mr. Dorsey's letter is dated September 9, 2013, it was faxed from a Fed Ex office after business hours and was not received by Court personnel or scanned into the Court's electronic filing system for docketing until after my Order issued.

Mr. Dorsey purports not to have seen Class Counsel's Motion and takes issue with Counsel's failure either to serve him with a copy of the Motion on August 12, 2013 in accordance with D.C.COLO.LCiv.R 5.1G or to confer with him before filing as required by D.C.COLO.LCiv.R 7.1A. Given the nature of the bond Motion and the amount of the bond ordered, I TREAT Mr. Dorsey's Letter as a MOTION FOR RECONSIDERATION and DIRECT Counsel to Respond to it on or before September 17, 2013. In the interim, I hold the Order for Appeal Bond IN ABEYANCE until further order of the Court.

Dated September 10, 2013.

s/John L. Kane
SENIOR U.S. DISTRICT JUDGE