

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

Civil Action No. 09-cv-01131-MSK-BNB

UNITED STATES FOR THE USE OF AMI MECHANICAL, INC., a Colorado corporation,

Plaintiff,

v.

ST. ANDREWS/ALLIANCE, a Colorado joint venture, consisting of St. ANDREWS
CONSTRUCTION SERVICES CORP. and TEPA, LLC, a California limited liability company,
and
TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, a Connecticut
corporation,

Defendants.

ORDER

This matter arises on the parties' **Stipulated Motion for Stay of Case** [Doc. # 15, filed 8/4/2009] (the "Motion"). I held a hearing on the Motion this morning at 10:00 a.m. See Minute Order [Doc. # 16, filed 8/4/2009]. The case also was set for a scheduling conference to occur at the same time. Minute Order [Doc. # 13, filed 8/3/2009]. Counsel for the defendant appeared at the hearing as required, but plaintiff's counsel neither appeared nor contacted the court. No proposed scheduling order was submitted.

The Motion requests an indefinite stay of the case to allow the parties to pursue settlement. It is expected that settlement and pretrial preparation of a case will proceed simultaneously, however, and the parties' participation in settlement discussions does not constitute good cause sufficient to stay a case.

IT IS ORDERED that the Motion is DENIED.

IT IS FURTHER ORDERED that a supplemental scheduling conference is set for **August 25, 2009, at 10:00 a.m.**, in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado. Defendants' counsel may attend the supplemental scheduling conference by telephone by contacting the court at the appropriate date and time at 303-844-6408. The parties shall prepare a proposed scheduling order and shall submit it to the court on or before **August 20, 2009**.

Dated August 7, 2009.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge