

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

Civil Action No. 09-cv-01270-PAB-BNB

KENDRA W. O'NEIL, as Trustee for Blue Rose Home Sales, LLC 401(k) Plan,

Plaintiff,

v.

MICHELLE MCMAHON,

Defendant and Third-Party Plaintiff,

v.

DAVIS RANCHES SUBDIVISION, LLC, a Colorado limited liability company,

Third-Party Defendant, Third-Party Plaintiff,

v.

KENDRA W. O'NEIL, individually, and
BLUE ROSE HOME SALES, LLC, a Colorado limited liability company, d/b/a O'NEIL
DEVELOPMENT AND CONSTRUCTION,

Third-Party Defendants.

ORDER

This matter arises on the following:

- (1) **Stipulated Motion to Adopt Proposed Modified Scheduling Order** [Doc. # 38, filed 1/27/2010] (the "Motion to Modify"); and
- (2) **Unopposed Motion to Allow Filing of Answer on February 1, 2010** [Doc. # 43, filed 2/1/2010] filed by third party defendants Kendra W. O'Neil and Blue Rose Homes Sales, LLC (the "Motion to Answer").

I held a hearing on the motions this morning and made rulings on the record, which are incorporated here. In summary and for the reasons stated on the record:

IT IS ORDERED that the Motion to Modify is GRANTED. The Modified Scheduling Order is entered separately.

IT IS FURTHER ORDERED that the Motion to Answer is GRANTED. The Clerk of the Court is directed to accept for filing the Answer to Davis Ranches LLC's Third-Party Complaint and Jury Demand [Doc. # 42].

Dated February 12, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge