

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 09-cv-01363-WYD-MEH

BIG O TIRES, a Nevada limited liability company, f/k/a BIG O TIRES, INC., a Colorado corporation,

Plaintiff,

v.

BNS, INC., a New Mexico corporation;
BRIAN K. HOTCHKISS; and
SARA L. HOTCHKISS,

Defendants.

ORDER

THIS MATTER is before the Court on the parties' Stipulation and Joint Motion for Approval of Stipulation Resolving Case (filed August 31, 2009). The filing states that the parties have entered into a settlement agreement that resolves this case whereby the Defendants will make payments over time to Plaintiff Big O. It further asserts that if Defendants fail to make timely payments, Defendants have authorized Big O to apply to this Court for entry of the Confession of Judgment attached as Exhibit A.

The parties request that the Court approve the stipulation and that the case be administratively closed only to be reopened by motion of Big O regarding the attached Confession of Judgment. The Court, having reviewed the stipulation and motion and being fully advised in the premises,

ORDERS that the Stipulation and Joint Motion for Approval of Stipulation Resolving Case (Doc. # 29) is **APPROVED AND GRANTED**. In accordance therewith, it is

ORDERED that this case is **ADMINISTRATIVELY CLOSED** pursuant to D.C.COLO.LCivR 41.2, to be reopened for good cause shown. Good cause for reopening shall include a motion regarding the Confession of Judgment attached to the Stipulation and Joint Motion for Approval of Stipulation Resolving Case. It is

FURTHER ORDERED that upon full compliance with the settlement agreement (after the final payment by the Defendants is made), the parties shall promptly file a motion to dismiss this case.

Dated: September 4, 2009

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge