IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO Senior Judge Zita L. Weinshienk

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

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

Plaintiff,

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

Defendants.

ORDER

After consideration of the case file herein, I hereby exercise my discretion as

a senior judge to decline this case. Therefore, it is

ORDERED that this case is returned to the Clerk's office for reassignment to

another judge.

DATED at Denver, Colorado, this 23rd day of June, 2009.

BY THE COURT:

Mainspienk

ZITA L. WEINSHIENK, Senior Judge United States District Court