

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01576-WDM-KLM

WILDEARTH GUARDIANS,

Plaintiff,

v.

PUBLIC SERVICE COMPANY OF COLORADO, d/b/a XCEL ENERGY

Defendant.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on a **Joint Motion to Vacate Scheduling Conference and Requirement That Parties Submit Confidential Settlement Statements** [Docket No. 17; Filed September 11, 2009] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion is **GRANTED**. The Scheduling Conference set for September 21, 2009 at 10:00 a.m. is **VACATED** and will be reset, if necessary, after the Court's resolution of Defendant's Motion to Dismiss.

IT IS FURTHER **ORDERED** that the parties shall submit a proposed scheduling order establishing a schedule for reconvening the Rule 26(f) conference and conducting discovery, if necessary, upon the Court's resolution of the Motion to Dismiss on or before **September 30, 2009**.

Dated: September 16, 2009