

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 09-cv-01654-RPM

AT THE BEACH, INC.,

Plaintiffs,

v.

COLLECTION SERVICE SOLUTIONS, L.L.C.,

Defendant.

ORDER ON MOTION TO MODIFY SCHEDULING ORDER

On July 28, 2010, Patricia Meyer and Jerry Lovett as principals of the defendant limited liability company filed a request for motion to modify scheduling order. In essence, that request is based on the representation that the efforts of Ms. Meyers and Mr. Lovett to retain counsel to represent Collection Service Solutions in this civil litigation have been adversely affected by the time limitation in the existing scheduling order. The plaintiff filed a motion to strike this request on August 2, 2010, on the ground that it has been filed improperly by Ms. Meyer and Mr. Lovett who are not attorneys and therefore unable to represent the defendant entity in this court. The plaintiff suggests a possible status conference.

Recognizing that new counsel for the defendant will require an opportunity to review the status of this civil action and will need some reasonable time to prepare a defense and for the prosecution of the defendant's counterclaims, the Court will upon the appearance of counsel, accommodate a request for modification of the scheduling order and such other matters as may be appropriate in the professional judgment of such counsel. Accordingly, it is

ORDERED that the filed request for modification of the scheduling order is denied but it is

FURTHER ORDERED that upon the appearance of counsel for the defendant, the Court will entertain a proper motion by new counsel to meet such modifications as necessary to proceed with this

litigation.

Dated: August 13th, 2010

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge