

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01767-CMA-KLM

TRIPOLI MANAGEMENT, LLC, d/b/a DWIRE EARTHMOVING & EXCAVATING,

Plaintiff,

v.

WASTE CONNECTIONS OF KANSAS, INC.,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendant's **Motion for Stay of Discovery** [Docket No. 16; Filed September 16, 2009] (the "Motion"). The Motion is opposed. Pursuant to the Motion, Defendant seeks to vacate the Scheduling Conference and to stay the case pending resolution of its Motion to Dismiss [Docket No. 7].

IT IS HEREBY **ORDERED** that the Motion is **GRANTED in part and HELD in ABEYANCE in part**. To the extent that the Motion seeks to vacate the Scheduling Conference, the Motion is **granted**. To the extent that the Motion seeks to stay the case pending resolution of the Motion to Dismiss, the Motion is **held in abeyance**.

IT IS FURTHER **ORDERED** that on or before **September 30, 2009**, Plaintiff shall respond to the Motion and address its opposition to the request to stay the case. Defendant's reply, if any, shall be filed no later than **October 7, 2009**.

IT IS FURTHER **ORDERED** that the Scheduling Conference set for September 30, 2009 at 9:30 a.m. is **vacated**. However, the Court finds that until resolution of the stay issue, it would be inappropriate to postpone the Scheduling Conference indefinitely. According, the Court **RESETS** the Scheduling Conference to **October 29, 2009 at 9:30 a.m.** in Courtroom C-204, Second Floor, Byron G. Rogers United States Courthouse, 1929 Stout Street, Denver, Colorado.

The parties shall submit their proposed scheduling order, pursuant to District of Colorado Electronic Case Filing ("ECF") Procedures. Deadline for submission of the proposed scheduling order is on or before **October 26, 2009**.

Parties shall submit a brief Confidential Settlement Statement in PDF format to

Mix_Chambers@cod.uscourts.gov on or before **October 26, 2009**. Parties not participating in ECF shall submit their confidential settlement statement, on paper by delivering to the office of the Clerk of the Court or by mailing directly to Magistrate Judge Mix at the Byron G. Rogers U.S. Courthouse. The envelopes shall be marked "Private per Magistrate Judge Mix' Orders."

Anyone seeking entry into the Byron G. Rogers United States Courthouse must show valid photo identification. See D.C.COLO.LCivR 83.2(B).

Dated: September 21, 2009