

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 09-cv-01931-REB-BNB

WEST LB AG, NEW YORK BRANCH, a German commercial bank,

Plaintiff,

v.

DT LAND DEVELOPMENT, LLC, a New Mexico limited liability company,  
CV LAND & DEVELOPMENT COMPANY, LLC, a New Mexico limited liability company,  
TERRY D. CORLIS, individually, and  
DONALD R. VERNON, individually,

Defendant.

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**ORDER OF ADMINISTRATIVE CLOSURE**

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**Blackburn, J.**

This matter comes before me *sua sponte*. On June 25, 2010, I denied without prejudice defendant's motion seeking to dismiss plaintiff's claims in this lawsuit, finding that the United States District Court for the District of New Mexico, as the "first filed" court, had authority to determine which of the two parallel federal actions should proceed. (**See Order Re: Defendants' Motion To Dismiss Pursuant to F.R.Civ.P. 12(b)(1), (2), (3), and (6)** [#100] filed June 25, 2010.) On October 5, 2010, the parties informed me that the Honorable Robert Brack of the United States District Court for the District of New Mexico had determined that the New Mexico action should proceed first.<sup>1</sup> (**See Notice of Decision of the United States District Court for the District of New Mexico** App., Exh. 1 [#105-1] filed October 5, 2010.) Thus, this action in this

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<sup>1</sup> Judge Brack then stayed the New Mexico action pending a determination by the United States Bankruptcy Court for the District of Colorado regarding the applicability of the automatic stay to those proceedings.

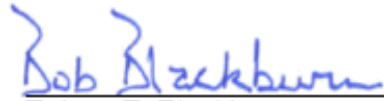
court should be closed administratively. Any party may seek to re-open this case on a showing of good cause.

**THEREFORE, IT IS ORDERED** as follows:

1. That this action is **ADMINISTRATIVELY CLOSED**; and
2. That pursuant to D.C.COLO.LCivR 41.2, the clerk is **DIRECTED** to close this civil action administratively, subject to reopening for good cause.

Dated January 4, 2011, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge