

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

Civil Case No. 09-cv-01954-REB-CBS

CAROL MITCHELL,

Plaintiff,

v.

YAMAHA MOTOR CORPORATION, U.S.A.,
YAMAHA MOTOR MANUFACTURING CORPORATION OF AMERICA,
YAMAHA MOTOR CO., LTD., and
HIGH POINT HUMMER & ATV TOURS AND RENTALS,

Defendants.

ORDER STAYING CASE

Blackburn, J.

This matter is before me on the **Unopposed Motion of Yamaha Motor Corporation, U.S.A. To Stay Proceedings Pending the MDL Panel's Decision Regarding Transfer** [#5] filed October 2, 2009. The motion is granted.

The defendant seeks to have this case included in consolidated pretrial proceedings coordinated by the United States Judicial Panel on Multidistrict Litigation. Like this case, the MDL proceedings all concern accidents involving the Yamaha Rhino all terrain vehicle. The defendant seeks a stay of this case pending the MDL Panel's decision on a transfer of this case to the MDL proceedings. I conclude that a stay is appropriate.

THEREFORE, IT IS ORDERED as follows:

1. That the **Unopposed Motion of Yamaha Motor Corporation, U.S.A. To Stay Proceedings Pending the MDL Panel's Decision Regarding Transfer** [#5] filed

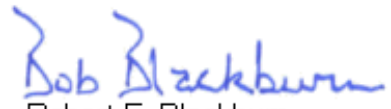
October 2, 2009, is **GRANTED**;

2. That this case is **STAYED** pending a decision by the United States Judicial Panel on Multidistrict Litigation on the transfer of this case to MDL No. 2016; and

3. That the defendants shall file a status report with the court every 60 days until the United States Judicial Panel on Multidistrict Litigation issues a decision concerning the transfer, *vel non*, of this case to MDL No 2016.

Dated October 5, 2009, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge