

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 09-CV-02054-WYD-MJW

BRUCE CANTON, TIM SAVAGE, LUANN MACHEV,
and ROCKY MOUNTAIN ASSET MANAGEMENT
NO.4, LLC, a Colorado limited liability company,

Plaintiffs

v.

RIC SCRIPPS,

Defendant.

ORDER

THIS MATTER is before the Court on the parties' Stipulation Regarding Arbitration. Defendant asserts that all of the claims asserted by Plaintiff are subject to an arbitration provision set forth in the Operating Agreement of Rocky Mountain Asset Management No. 4, LLC and that the claims should be stayed pending the arbitration. Plaintiff disagrees. Notwithstanding, the parties agree to submit all claims asserted in this case to arbitration.

Having reviewed the stipulation, I agree with the parties' decision to submit to arbitration. However, I deny the request to stay the proceedings pending completion of the arbitration. Instead, the case shall be administratively closed subject to being reopened for good cause shown pursuant to D.C.COLO.LCivR 41.2. See *Quinn v. CGR*, 828 F.2d 1463, 1465 and n. 2 (10th Cir. 1987) (construing administrative closure as the practical equivalent of a stay). Good cause for reopening the case shall include any further court proceedings the parties deem necessary after the termination of the

arbitration proceeding. Accordingly, it is

ORDERED that the parties' Stipulation Regarding Arbitration is **GRANTED**.

Rather than staying these proceedings, the case is **ADMINISTRATIVELY CLOSED** pursuant to D.C.COLO.LCivR 41.2, to be reopened for good cause shown.

Dated: October 27, 2009

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge