

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
U.S. Magistrate Judge Craig B. Shaffer**

Civil Action: 09-cv-02180-WDM-CBS
Date: February 4, 2010

FTR - Reporter Deck-Courtroom A402
Courtroom Deputy: Linda Kahoe

B&M CONSTRUCTION, INC.,

Michael Jon Ogborn

Plaintiff,

v.

TORIX GENERAL CONTRACTORS, LLC,

No appearance

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: RULE 16(b) SCHEDULING CONFERENCE

Court in session: 10:01 a.m.

Court calls case. Appearance of counsel. No appearance for Defendant.

Discussion regarding the status of the case. The court notes the 120 deadline for service and that the record does not show Defendant has been served.

Discussion regarding the Unopposed Motion to Stay Proceedings in Favor of Arbitration, doc #[13], filed 2/1/2010.

The court suggests that Mr. Ogborn serve the Defendant and re-file the motion to stay.

ORDERED: Unopposed Motion to Stay Proceedings in Favor of Arbitration, doc #[13] is **DENIED WITHOUT PREJUDICE.**

HEARING CONCLUDED.

Court in recess: 10:06 a.m.

Total time in court: 00:05

POST RECESS ORDER

ORDERED: A Status Conference is set for **MARCH 10, 2010 at 9:00 a.m.**

To order transcripts of hearings with Magistrate Judge Shaffer, please contact Avery Woods Reporting at (303) 825-6119 or toll free at 1-800-962-3345.