

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

Civil Action No. 09-cv-02255-WYD-MEH

TRUSTEES OF THE PIPE INDUSTRY HEALTH AND WELFARE FUND OF COLORADO, an express trust;
TRUSTEES OF THE DENVER PIPE INDUSTRY VACATION FUND, an express trust;
DENVER PIPEFITTERS JOINT APPRENTICESHIP AND TRAINING FUND, an express trust;
CONTRACT ADMINISTRATION FUND OF NORTHEASTERN COLORADO, a Colorado corporation; and
PIPEFITTERS LOCAL UNION NO. 208, UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING & PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA, an unincorporated association,

Plaintiffs,

v.

GREGORY PIPING SYSTEMS, INC., a Wyoming corporation,

Defendant.

ORDER

THIS MATTER is before the Court on the Plaintiff's Unopposed Motion for Administrative Closure Pursuant to Rule 41.2, [doc. #9], filed December 11, 2009.

Plaintiff seeks administrative closure because the Defendant has not responded to the Summons and Complaint in this action. Further, a Notice of Automatic Stay was filed by the Defendant on October 22, 2009 due to the Defendant's pending bankruptcy proceeding in Wyoming. In light of the bankruptcy filing, further proceedings in this action have been stayed. Having reviewed the motion, I agree with the Plaintiff's decision seek administrative closure pending the outcome of Defendant's bankruptcy case. Therefore, 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 pending the outcome of Defendant's bankruptcy case. Accordingly, it is

ORDERED that the Plaintiff's Motion for Administrative Closure Pursuant to Rule 41.2. is **GRANTED**. The case is **ADMINISTRATIVELY CLOSED** pursuant to D.C.COLO.LCivR 41.2, to be reopened for good cause shown.

Dated: December 14, 2009

BY THE COURT:

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