

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

Civil Action No. 09-cv-02413-WYD-KMT

CROSS CONTINENT DEVELOPMENT, LLC, a Colorado limited liability corporation

Plaintiff,

v.

TOWN OF AKRON, Colorado, a Colorado municipal corporation;
CARL S. McGUIRE II, Esq., in his official capacity as Attorney for the Town of Akron;

Defendants.

ORDER

THIS MATTER came before the Court on a Status Conference on Tuesday, February 4, 2014. For the reasons stated on the record at the Status Conference, it is

ORDERED that Defendant Town of Akron's Motion to Dismiss for Lack of Federal Subject Matter Jurisdiction filed January 13, 2014 (ECF No. 174) is **DENIED**. It is

FURTHER ORDERED that a five (5) day jury trial is set to commence on **Monday, April 14, 2014, at 8:30 a.m.** A Final Trial Preparation Conference is set for **Tuesday, April 1, 2014, at 10:30 a.m.** Alternatively, in the event counsel is not available on April 1, 2014, a Final Trial Preparation Conference is set for **Thursday, March 27, 2014, at 9:00 a.m.** Counsel shall notify the Court as soon as possible as to his/her availability on April 1, 2014, so the final date for the Final Trial Preparation Conference can be established.

Dated: February 6, 2014

BY THE COURT:

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