

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 09-cv-02757-WYD-KMT

COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit Corporation,
ANITA HANSEN, and
JULIE FARRAR,

Plaintiffs,

v.

ABERCROMBIE & FITCH CO.,
ABERCROMBIE & FITCH STORES, INC, and
J.M. HOLLISTER LLC, d/b/a HOLLISTER CO.,

Defendants.

ORDER

This matter is before the court on “Stipulated Modification (sic) of Discovery Stay” [Doc. No. 166].

All deadlines in this case were stayed on December 19, 2011 “pending ruling on the [then pending] Motion for Class Certification.” Order [Doc. No. 152]. Class Certification was granted on April 20, 2012. Therefore, the stay was lifted at that time.

In a subsequently filed status report [Doc. No. 163], after noting the pendency of Plaintiffs’ “Motion for Summary Judgment and Entry of Injunction and Entry of Judgment” [Doc. 162] and after asserting that Defendants were preparing a Motion for Summary Judgment based upon changed circumstances [now filed as Doc. No. 164], the parties stated, “[t]he parties

propose that discovery remain stayed pending resolution of the motions cited above.” *Id.* at ¶ 8.

The status report was neither filed nor docketed as a motion seeking continuance of the stay previously ordered or as a motion seeking a new stay and therefore no action to re-institute the stay has been commenced.

Therefore, the “Stipulated Modification (sic) of Discovery Stay” [Doc. No. 166] is DENIED. There is no stay as to which such a modification may be directed.

Dated this 22nd day of May, 2012.

BY THE COURT:



Kathleen M Tafoya
United States Magistrate Judge