

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 09-cv-02786-MSK-BNB

AGILE SKY ALLIANCE FUND LP,
AGILE SAFETY FUND, L.P.,
AGILE PERFORMANCE FUND, L.P.,
AGILE SAFETY VARIABLE FUND, L.P.,
DEUTSCHE BANK CAYMAN LIMITED (INTERNATIONAL) in its capacity as trustee of the
Agile Series Trust on behalf of Agile Safety Fund International,
DEUTSCHE BANK CAYMAN LIMITED (MASTER) in its capacity as trustee of the Agile
Series Trust on behalf of Agile Safety Master Fund,
DEUTSCHE BANK CAYMAN LIMITED (EURO) in its capacity as trustee of the Agile Series
Trust on behalf of Agile Safety Fund (International) - Euro,
AGILE GROUP, LLC,
SKY BELL SELECT, LP,
SKY BELL OFFSHORE PARTNERS LTD,
AGILE COMPOSITE FUND, L.P., and
AGILE NEXUS FUND, L.P.,

Plaintiffs,

v.

CITIZENS FINANCIAL GROUP d/b/a Charter One Bank,
ROYAL BANK OF SCOTLAND GROUP plc, and
SWISS FINANCIAL SERVICES, INC.,

Defendants.

ORDER

This matter arises on the following:

- (1) **Citizens Financial Group, Inc.’s and the Royal Bank of Scotland Group PLC’s Motion to Stay Discovery** [Doc. # 43, filed 3/12/2010] (“CFG’s Motion to Stay”); and
- (2) **Swiss Financial Services, Inc.’s Motion to Stay Discovery or, In the Alternative, Limiting Discovery to Jurisdictional Issues** [Doc. # 47, filed 3/12/2010] (“SFS’s

Motion to Stay”).

I held a hearing on the motions this morning and made rulings on the record, which are incorporated here. In view of the plaintiffs’ admission that there is not complete diversity of citizenship and that this court lacks subject matter jurisdiction:

IT IS ORDERED that CFG’s Motion to Stay [Doc. # 43] and SFS’s Motion to Stay [Doc. # 47] are GRANTED. Discovery is STAYED pending further order of the court.

Dated March 30, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge