

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

Civil Action No. 09-cv-02858-CMA-BNB

ILONA KIRZHNER,

Plaintiff,

v.

DAVID SILVERSTEIN,
EVERGREEN INDUSTRIES, INC., a Colorado corporation, f/k/a Breakthrough Management
Group International, Inc., f/k/a Breakthrough Management Group, Inc.,
DAVID SILVERSTEIN INVESTMENTS, LLC, a Colorado limited liability company, and
DSI INVESTMENTS, LLC, a Colorado limited liability company,

Defendants.

ORDER

This matter arises on **Defendant David Silverstein’s Motion for Leave to File Second Amended Counterclaim** [Doc. # 121, filed 2/11/2011] (the “Motion to Amend”). I held a hearing on the Motion to Amend this afternoon and made rulings on the record, which are incorporated here. I find that defendant Silverstein has failed to exercise reasonable diligence in bringing the proposed amendment, and no good cause to extend the deadline to amend has been shown. See Colorado Visionary Academy v. Medtronic, Inc., 194 F.R.D. 684 (D. Colo. 2000).

IT IS ORDERED that the Motion to Amend [Doc. # 121] is DENIED.

Dated March 2, 2011.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge