

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 09-cv-02914-REB-BNB

IRON WORKERS DISTRICT COUNCIL OF TENNESSEE VALLEY & VICINITY PENSION PLAN, Derivatively on Behalf of LEVEL 3 COMMUNICATIONS, INC.,

Plaintiff,

v.

JAMES Q. CROWE,  
KEVIN J. O'HARA,  
SUNIT S. PATEL,  
MICHAEL B. YANNEY,  
JAMES O. ELLIS JR.,  
RICHARD R. JAROS,  
ROBERT E. JULIAN,  
ARUN NETRAVALI,  
JOHN T. REED,  
WALTER SCOTT, JR., and  
ALBERT C. YATES,

Defendants,

and

LEVEL 3 COMMUNICATIONS, INC., a Delaware corporation,

Nominal Defendant.

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**ORDER CONCERNING MOTION FOR TEMPORARY STAY**

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**Blackburn, J.**

This matter is before me on the parties' **Joint Status Report and Motion for Temporary Stay** [#40]<sup>1</sup> filed December 23, 2010. I grant the motion on the terms stated in this order.

The parties ask that this case be stayed for 90 days from the date judgment entered

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<sup>1</sup> “[#40]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

in a related case, 09-cv-00200-PAB-CBS. Judgment entered in that case on December 16, 2010. The parties seek the stay to permit them to determine “whether, and on what schedule, this matter should proceed in light of the dismissal” of 09-cv-00200-PAB-CBS. *Motion* [#40], p. 5. There has been no activity in this case since the motion was filed. Effectively, the motion for a stay has been granted.


At this point, the parties have had ample time to determine whether and on what schedule this matter should proceed. Therefore, I direct the parties to contact the assigned magistrate judge to schedule a scheduling conference in this case.

**THEREFORE, IT IS ORDERED** as follows:

1. That the parties’ **Joint Status Report and Motion for Temporary Stay** [#40] filed December 23, 2010, is **GRANTED** on the terms stated in this order; and
2. That as soon as practicable, the magistrate judge **SHALL SET AND CONDUCT** a scheduling conference in this case.

Dated August 11, 2011, at Denver, Colorado.

**BY THE COURT:**

  
Robert E. Blackburn  
United States District Judge