

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00539-PAB-MJW

ALISON DEAN, and  
KEITH L. DEAN,

Plaintiff(s),

v.

JP MORGAN CHASE BANK, NATIONAL ASSOCIATION, and  
U. S. BANK, NATIONAL ASSOCIATION,

Defendant(s).

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Defendant JPMorgan Chase Bank, N.A.'s Unopposed Motion to Vacate November 1, 2010 Settlement Conference and Stay all Existing Pre-Trial Deadlines (docket no. 47) is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED insofar as the Settlement Conference set on November 1, 2010, at 10:00 a.m. is VACATED. The parties may request a re-setting of a Settlement Conference by motion. The remainder of the motion is DENIED.

Here, the court finds that Defendant JPMorgan Chase Bank, N.A. has failed to demonstrate any real hardship or inequity if a stay is not granted. Ben Ezra, Weinstein, & Co. v. America Online Inc., 206 F.3d 980, 987 (10<sup>th</sup> Cir. 2000). It is not uncommon to have pending dispositive motions during the discovery phase of a case. Accordingly, in this court's discretion and in the interest of justice pursuant to S.E.C. v. Nacchio, 2005 WL 1799372 (D. Colo. July 28, 2005), the portion of the subject motion requesting a STAY of pre-trial deadlines should be denied.

Date: October 28, 2010

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