

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00842-WJM-KLM

DENIS RYSKAMP, Derivatively on Behalf of BOULDER GROWTH & INCOME FUND,

Plaintiff,

v.

JOEL W. LOONEY,  
DEAN L. JACOBSON,  
RICHARD I. BARR,  
SUSAN L. COCIORA,  
JOHN S. HOREJSI,  
STEWART R. HOREJSI,  
STEPHEN C. MILLER,  
CARL D. JOHNS,  
THE ERNEST HOREJSI TRUST NO. 1B,  
BOULDER INVESTMENT ADVISERS, LLC,  
STEWART INVESTMENT ADVISERS, and  
FUND ADMINISTRATIVE SERVICES, LLC,

Defendants,

and

BOULDER GROWTH & INCOME FUND, INC.,

Nominal Defendant.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff's **Renewed Unopposed Motion to Restrict Access to Plaintiff's Opposition to Susan L. Ciciora's and John S. Horejsi's Motion to Dismiss Pursuant to F.R.C.P. 8(a), 9(b) and 12(b)(6)** [Docket No. 231; Filed January 20, 2012] (the "Motion"). In accordance with D.C.COLO.LCivR 7.2, the Motion was publicly posted to allow for any objections to the sealing of the documents. No timely objections were filed. Pursuant to D.C.COLO.LCivR 7.2, the Court finds that the presumption of public access to Court files is outweighed by the parties' interest in privacy,

and the parties have shown that a less restrictive alternative is not practicable. Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **GRANTED**.

IT IS FURTHER **ORDERED** that the Clerk of the Court is directed to maintain the following document **UNDER SEAL** at a **LEVEL 1** access restriction:<sup>1</sup> Plaintiff's Opposition to Defendants Susan L. Ciciora's and John S. Horejsi's Motion to Dismiss Pursuant to F.R.C.P. 8(a), 9(b) and 12(b)(6) [#230].

Dated: January 30, 2012

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<sup>1</sup> Level 1, the least restrictive, limits access to the documents to the parties and the Court. See D.C.COLO.LCivR 7.2.