

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

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, and  
JOHN S. HOREJSI,

Defendants,

and

BOULDER GROWTH & INCOME FUND, INC.,

Nominal Defendant.

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**ORDER DIRECTING JOINT STATUS REPORT**

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THIS MATTER comes before the Court on reassignment to Judge William J. Martínez.

The parties are directed to confer and to file, on or before **February 25, 2011**, a Joint Status Report, not to exceed 4 pages in length, exclusive of signature blocks. This filing deadline and page limitation will not be extended or increased. If represented by counsel, Plaintiff(s) are responsible for preparing the initial draft of the Report. Otherwise, the initial draft will be prepared by Defendant(s). The Joint Status Report

shall provide the following information:

**A. Identification of All Counsel**

List all counsel of record in this case, as well as all other counsel who have not entered their appearance but who are “of counsel” or in some other capacity representing the interests of one of more parties in this action.

**B. Nature of the Case**

1. A brief summary of the nature of the claim(s) and defenses (including counterclaim(s), if any) in the case;
2. A brief summary of the principal legal and factual issues in the case; and
3. If contested, the basis for federal jurisdiction.

**C. Proceedings to Date**

1. Summary and date of all substantive rulings (including important discovery rulings); and
2. Description of all pending motions, including date of filing and briefing schedule; as well as all scheduled hearings or oral arguments.

**D. Final Trial Preparation Conference and Trial**

1. If a Final Trial Preparation Conference has already taken place, any unusual issues or disputes which arose at the conference, and, in particular, any such issue or dispute still requiring Court attention; and
2. Whether a trial date has been set, and if so: (a) the trial date; (b) the number of days allocated for trial; and (c) whether it is to be a jury or bench trial.

**E. Settlement**

Summarize settlement discussions held to date, as well as the parties' current plans, if any, to undertake additional settlement efforts in the future.

**F. Other Matters**

To the extent not otherwise discussed above, any issue or dispute in the case which one or more of the parties believes should be brought to the Court's attention at this time.

It is SO ordered.

Dated February 16, 2011.

BY THE COURT:

s/ William J. Martínez

United States District Judge