

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 10-cv-01482-LTB-KLM

ONYX PROPERTIES, LLC, a Colorado Limited Liability Company;
EMERALD PROPERTIES, LLC, a Colorado Limited Liability Company;
VALLEY BANK AND TRUST, a Colorado State Bank;
PAUL NAFTEL, an individual; and

Plaintiffs,

v.

BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, in its Official Capacity,
Defendant.

ORDER

Upon Defendant's Response to Plaintiffs' Motion for Leave to File Sur Reply to Defendant's Motion to Dismiss (Doc 17), it is

ORDERED that Plaintiffs' Motion for Leave to File Sur Reply (Doc 15) is DENIED.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: December 2, 2010