

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

Civil Case No. 10-cv-01482-LTB-KLM (Consolidated w/11-cv-02321-RPM-MJW)

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
SHAUNA NAFTEL, an individual,

Plaintiffs,

v.

BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY,

Defendant.

KENNETH G. ROHRBACH,
KAREN L. ROHRBACH,
PAUL K. ROHRBACH, and
COMPOST EXPRESS, INC., a Colorado Corporation,

Plaintiffs,

v.

BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, in its official capacity,

Defendant.

ORDER

On December 1, 2011, I granted Plaintiffs’ Motion for Consolidating the Zoning Action [Doc # 49] and, in so doing, ordered that Case No. 11- cv-00 2321, Kenneth G. Rohrbach, Karen L. Rohrbach, Paul K. Rohrbach, and Compost Express, Inc. v. Board of County Commissioners of Elbert County, be consolidated into this case.

The following motions filed by Plaintiffs in 10-cv-001482 were pending at the time of that consolidation order:

- 1) Motion to Amend Complaint [Doc # 30 - filed 9/3/11];
- 2) Plaintiff's Second Motion to Amend Complaint [Doc # 32 - filed 9/9/11]; and
- 3) Plaintiffs' Motion for Class Certification [Doc # 42 - filed 11/17/11].

As a result, I ORDER that Plaintiffs Kenneth G. Rohrbach, Karen L. Rohrbach, Paul K. Rohrbach, and Compost Express, Inc, shall file with the court on or before, December 27, 2011, notice indicating whether they join in or object to the pending motions.

Dated: December 13, 2011 in Denver, Colorado.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, JUDGE