

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
HONORABLE MARCIA S. KRIEGER**

Courtroom Deputy: Patricia Glover
Court Reporter: Paul Zuckerman

Date: August 18, 2010

Civil Action No. 10-cv-01505-MSK-MJW

Parties:

Counsel Appearing:

BARRY RICH, and
DEBORA RICH,

Plaintiffs,

v.

NATIONAL CITY MORTGAGE COMPANY,

Defendant.

Katherine White
Patrick Pugh

COURTROOM MINUTES

HEARING: Law and Motion

4:08 p.m. Court in session.

The plaintiffs are not present.

Statement from counsel Pugh regarding the status of the property in question.

Oral findings are made of record and incorporated herein.

ORDER: Petition (Motion) for Restraining Order (**Doc. #3**) is **DENIED** in light of plaintiffs' failure to appear today.

Defendant orally moves for issuance of an Order to Show Cause why this case should not be dismissed for failure to prosecute and for failure to appear at today's hearing.

Courtroom Minutes
Judge Marcia S. Krieger
Page 2

ORDER: Defendant's oral motion for issuance of an Order to Show Cause is **GRANTED**. Plaintiff's will have 14 days from today's date in which to show cause in writing why this action should not be dismissed. Failure to respond to this Order or to seek an extension to respond may result in dismissal of this action.

Defendant orally moves for an extension of time to respond to the Complaint which is current due on August 20, 2010.

ORDER: Defendant's oral motion for extension of time to answer the Complaint is **GRANTED**. The response will be due on or before **September 15, 2010**.

4:16 p.m. Court in recess.

Total Time: 8 minutes.
Hearing concluded.