

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 10-cv-01546-REB-CBS

THE DIRECT MARKETING ASSOCIATION,

Plaintiff,

v.

ROXY HUBER, in her capacity as Executive Director, Colorado Department of  
Revenue,

Defendant.

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**MINUTE ORDER<sup>1</sup>**

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The matter is before the court on the **Defendant's Motion To Dismiss Plaintiff's First Amended Complaint** [#14] filed July 30, 2010. The motion is **DENIED** without prejudice. The court has approved the parties' stipulated schedule for summary judgment briefing on the plaintiffs' Commerce Clause claims and a stay of proceedings on all other claims. Given that stipulation, further proceedings on the motion to dismiss are stayed. The defendant may renew its **Motion To Dismiss Plaintiff's First Amended Complaint** [#14] after the Commerce Clause claims are resolved fully as specified in the court's **Order Approving Proposed Briefing Schedule on Counts I and II and Staying Proceedings on Counts III Through VIII** [#91] entered March 18, 2011.

Dated: March 21, 2011

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<sup>1</sup>This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.