

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02216-WJM-KLM

STROH RANCH DEVELOPMENT, LLC, a Colorado limited liability company,

Plaintiff,

v.

CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 2,
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 3,
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 4,
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 5,
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 6,
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 7,
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 8,
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 9,
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 10,
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 11,
THE PIVOTAL GROUP, INC.,
PIVOTAL PARKER INVESTMENTS, LLC, a Delaware limited liability company a/k/a Parker
Investments 2009, LLC,
KURT WOLTER,
KIMBERLY JENSEN,
GREG MCILVAIN,
MARK EAMES,
GREG EPP,
BILLY HARRIS, and
JOHN DOES 1 through 8,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendant Pivotal Group, Inc.'s **Unopposed Motion to Vacate and Reset Settlement Conference** [Docket No. 72; Filed June 16, 2011] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion is **GRANTED**. The Settlement

Conference set for June 28, 2011 at 1:30 p.m. is **vacated** and **RESET** to **October 11, 2011 at 2:00 p.m.** in Courtroom C-204, Second Floor, Byron G. Rogers United States Courthouse, 1929 Stout Street, Denver, Colorado.

IT IS FURTHER ORDERED that counsel shall have parties present who shall have full authority to negotiate **all** terms and demands presented by the case and to enter into a settlement agreement, including an adjustor if an insurance company is involved. "Full authority" means that the person who attends the settlement conference has the complete and unfettered capacity and authority to meet all terms or pay all amounts which are demanded or sought by any opposing party in the case without consulting with some other person, committee, or agency.

IT IS FURTHER ORDERED that the parties shall follow **Magistrate Judge Mix's Instructions for Preparation of Confidential Settlement Statements and Settlement Conference Instructions, copies of which are attached to Docket Nos. 22 and 34.**

Parties shall submit their Confidential Settlement Statement on or before **October 4, 2011** Parties participating in ECF shall e-mail **ONLY** the Confidential Settlement Statement to Mix_Chambers@cod.uscourts.gov. All additional settlement materials (e.g., depositions transcripts, exhibits, etc.) are to be submitted to the court as hard copies. Any additional material shall be delivered to the office of the Clerk of the Court or mailed directly to Magistrate Judge Mix in an envelope marked "Confidential and Private per Magistrate Judge Mix's Order". Parties not participating in ECF shall submit all materials as hard copies.

Dated: June 17, 2011