

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Action No. 10-cv-02516-WJM-KLM

AURARIA STUDENT HOUSING AT THE REGENCY, LLC, a Colorado limited liability company,

Plaintiff,

v.

CAMPUS VILLAGE APARTMENTS, LLC, a Delaware limited liability company,

Defendant.

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**ORDER ADMINISTRATIVELY CLOSING CASE**

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This matter is before the Court *sua sponte*. This action arises from an allegedly anti-competitive agreement between Defendant Campus Village Apartments, LLC and non-party University of Colorado Denver creating a residential location restriction for certain University of Colorado Denver students.

On March 3, 2011, the Defendant filed a Motion to Dismiss pursuant to Fed. R. Civ. P 12(b)(6), (ECF No. 23). This Motion was denied on November 23, 2011 (ECF No. 38). Defendant thereafter sought review of the denial of its Motion to Dismiss by filing an Interlocutory Appeal on December 22, 2011 (United States Court of Appeals for the Tenth Circuit Case Number 11-1569).

The Court finds that there appears to be no reason at this time to maintain this matter as an active open case. Accordingly, the Clerk is instructed to ADMINISTRATIVELY CLOSE this case, pending disposition by the Court of Appeals for the Tenth Circuit of the Interlocutory Appeal.

Nothing contained in this Order shall be considered a dismissal or final disposition of this case in this Court. Any party may move this Court to reopen this matter for good cause shown after issuance by the Tenth Circuit of its Mandate on the subject appeal.

Dated this 27<sup>th</sup> day of March, 2012.

BY THE COURT:



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William J. Martínez  
United States District Judge