

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 11-cv-00023-PAB-BNB

FRANK TRPISOVSKY, Derivatively on Behalf of ASPENBIO PHARMA, INC.,

Plaintiff,

v.

GREGORY S. PUSEY,  
JEFFREY G. MCGONEGAL,  
MARK COLGIN,  
DOUGLAS I. HEPLER,  
GAIL S. SCHOETTLER,  
DARYL J. FAULKNER,  
DAIVD E. WELCH,  
MICHAEL R. MERSON,  
MARK J. RATAIN,  
JOHN H. LANDON,  
STEPHEN T. LUNDY,  
RICHARD G. DONNELLY, and  
ROBERT F. CASPARI,

Defendants,

and

ASPENBIO PHARMA, INC., a Colorado corporation,

Nominal Defendant.

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**ORDER**

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This matter arises on **Defendants' Motion to Stay Pending Resolution of Related Securities Actions** [Doc. # 25, filed 2/16/2011] (the "Motion to Stay"). I held a hearing on the Motion to Stay this afternoon and made rulings on the record, which are incorporated here.

For the reasons stated on the record, IT IS ORDERED:

- (1) The Motion to Stay [Doc. # 25] is GRANTED;
- (2) The scheduling conference set for March 29, 2011, at 2:30 p.m., and the deadlines established in my Order [Doc. # 3, filed 1/21/2011] are VACATED; and
- (3) At the earlier of the filing of an answer or a ruling on any motion to dismiss in either Case No. 11-cv-00163-REB-KMT (the “Chipman Action”) or 11-cv-00165-REB-KMT (the “Class Action”), the parties shall file status reports addressing the status of those cases and the propriety of lifting or continuing the stay.

Dated March 15, 2011.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge