

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Judge John L. Kane

Civil Action No. **1:11-cv-00211-JLK**

RIGHTHAVEN LLC, a Nevada Limited Liability Company

Plaintiff,

v.

BRIAN D. HILL, an individual,

Defendant.

ORDER

Plaintiff has filed a Motion for Leave to File a Surreply in Response to Defendant's Reply in Support of His Motion for Attorney Fees (doc. 32). Plaintiff argues that Defendant's Reply contains significant argument and evidence not presented in either his Motion for Attorney Fees or his Brief in Support of his Motion for Attorney Fees. Having thoroughly reviewed the motion and accompanying briefing in preparation for the hearing set for May 27, 2011, Plaintiff's argument is well-taken.

In order to ensure that the parties have an adequate opportunity to present their legal authorities and arguments, Plaintiff's motion is GRANTED. I will treat Defendant's Reply as a *de facto* Opening Brief on this issue. Plaintiff will have up to and including June 10, 2011, to file a Response to this "Opening Brief" and Defendant will have up to and including June 24, 2011 to file a Reply to Plaintiff's Response.

It is further ORDERED that the hearing set for May 27, 2011 is VACATED. After this

matter is fully briefed, I will consider the parties' arguments and the status of Plaintiff's other pending cases and re-set this matter for a hearing as I find appropriate and necessary.

Dated: May 25, 2011

BY THE COURT:

/s/ John L. Kane
Senior U.S. District Judge