

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

Civil Action No. 11-cv-00689-CMA-BNB

NOVA LEASING, LLC,

Plaintiff,

v.

SUN RIVER ENERGY, INC.,  
MOUNTAIN SHARE TRANSFER, INC.,  
HARRY N. MCMILLAN, an individual  
CICERONE CORPORATE DEVELOPMENT, a Texas limited liability company, and  
J.H. BRECH, LLC, a Texas limited liability company,

Defendants.

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**ORDER**

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This matter arises on the **Unopposed Motion to Vacate Scheduling Order, Pre-Trial Conference and Pre-Trial Order Deadlines** [Doc. # 116, filed 4/26/2012] (the “Motion”), which is GRANTED.

The Motion recites that a Scheduling Order was entered on May 27, 2012. Scheduling Order [Doc. # 37]. The Scheduling Order set a discovery cut-off of October 31, 2011; a dispositive motion deadline of November 30, 2011; and a pretrial conference for May 31, 2012. Subsequently, a motion to dismiss the federal securities fraud claim resulted in a stay of discovery under the Private Securities Litigation Reform Act. See 15 U.S.C. §78u-4(b)(3)(B). In addition, an involuntary petition was filed against defendant Harry N. McMillan, resulting in an automatic bankruptcy stay of the plaintiff’s claims against him.

I am informed that no discovery has occurred. The case obviously is not postured for a final pretrial conference.

IT IS ORDERED:

(1) The Motion [Doc. # 116] is GRANTED, and the final pretrial conference set for May 31, 2012, at 9:00 a.m., and related deadlines are VACATED; and

(2) The plaintiff shall submit a status report on or before May 31, 2012.

Dated April 27, 2012.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge