

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-00970-PAB-MEH

GORSUCH, LTD., a Colorado corporation,

Plaintiff,

v.

WELLS FARGO NATIONAL BANK ASSOCIATION,

Defendant.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on August 1, 2013.

Plaintiff's unopposed¹ Motion for Leave to File Motion to Amend in Excess of the Page Limitation Set Forth in PAB Civ. Practice Standard III.A. [filed July 10, 2013; docket #72] and Defendant's Unopposed Motion for Leave to File Response to Plaintiffs' Motion for Leave to File Third Amended Complaint in Excess of the Page Limitation Set Forth in PAB Civ. Practice Standard III.A. [filed July 31, 2013; docket #77] are **granted**. The Court will accept as filed Plaintiff's motion (docket #71) and Defendant's response to the motion (docket #80).

However, upon review of the docket, the Court notes that Judge Brimmer ordered the dismissal of all Plaintiffs except Gorsuch, Ltd. on November 17, 2011 (docket #46). Plaintiff then filed a motion for leave to file a second amended complaint, which renamed the dismissed Plaintiffs, but that motion was held in abeyance (docket #49), then denied without prejudice to re-filing upon the reopening of the case (docket #55). Thereafter, the case was dismissed without prejudice on December 3, 2012 (docket #56). Thus, the proposed second amended complaint was never accepted, and the case caption remains as it did after the November 17, 2011 dismissal order (see above). Accordingly, the pending motion for leave to amend should actually seek leave to file a "second" (rather than "third") amended complaint.

¹See docket #78.