

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

Civil Action No. 11-cv-01096-WJM-KMT

KATHLEEN SEABRON,
ROBERT LAYS,
CARLA LAYS, and
KRISTY LARSON,

Plaintiffs,

v.

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, and
AMERICAN STANDARD INSURANCE COMPANY OF WISCONSIN,

Defendants.

ORDER DIRECTING CLERK TO OPEN TWO NEW CASES

Plaintiffs Kathleen Seabron, Robert Lays, Carla Lays, and Kristy Larson (collectively "Plaintiffs") bring this action against Defendants American Family Mutual Insurance Company and American Standard Insurance Company (together "Defendants"). The case was originally filed as a class action brought on behalf of all Colorado residents who have had claims on their uninsured/underinsured motorist policies submitted to Defendants' medical services or legal services divisions. (ECF No. 47.) However, because the Court denied Plaintiffs' Motion for Class Certification, this action is proceeding only as to the above-named Plaintiffs. (ECF No. 310.)

On August 6, 2014, the Court granted Defendants' Motion to Bifurcate and held that this case will proceed to three separate trials. (ECF No. 357.) The Final Pretrial Order was entered on September 25, 2014, and anticipates the setting of three trials.

(ECF No. 360.) Given these developments, the Court finds that keeping the four Plaintiffs claims together in the above-captioned action has the potential to confuse the parties, and will unnecessarily complicate case management for the Court and the parties. As such, the Court hereby ORDERS as follows:

1. The Clerk SHALL OPEN two new cases, one for the claims brought by Plaintiffs Carla and Robert Lays, and one for the claims brought by Plaintiff Kristy Larsen;
2. Plaintiff Kathleen Seabron's claims will remain pending in this case;
3. In the new civil action opened for Plaintiffs Carla and Robert Lays, the Clerk shall enter the following documents into the docket¹:
 - a. Third Amended Complaint (ECF No. 47)
 - b. Defendants' Answer to Third Amended Complaint (ECF No. 51)
 - c. Defendants' Motion for Summary Judgment as to Plaintiffs Robert Lays and Carla Lays's Claims for Relief (ECF No. 344)
 - d. Plaintiffs Robert and Carla Lays's Response to the Motion for Summary Judgment (ECF No. 353)
 - e. Defendants' Reply to Motion for Summary Judgment (ECF No. 355)
 - f. Order granting Defendants' Motion to Bifurcate Trial (ECF No. 357)
 - g. Final Pretrial Order (ECF No. 360)
 - h. Final List of Plaintiffs' Proposed Exhibits for the Lays's Trial (ECF No. 361-3)

¹ The newly opened cases will be cross-linked to the above-captioned action as "Related Cases" so all other documents previously filed in this case will be incorporated by reference.

- i. A copy of this Order
- 4. In the new civil action opened for Plaintiff Kristy Larsen, the Clerk shall enter the following documents into the docket:
 - a. Third Amended Complaint (ECF No. 47)
 - b. Defendants' Answer to Third Amended Complaint (ECF No. 51)
 - c. Order granting Defendants' Motion to Bifurcate Trial (ECF No. 357)
 - d. Final Pretrial Order (ECF No. 360)
 - e. Final List of Proposed Exhibits for Kristy Larsen's Trial (ECF No. 361-1)
 - f. A copy of this Order; and
- 5. The parties are ORDERED to file all future documents in the appropriate case for the corresponding Plaintiff(s).

Dated this 3rd day of October, 2014.

BY THE COURT:



William J. Martinez
United States District Judge