

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 11-cv-01629-REB-CBS

THE TRUST DEPARTMENT OF FIRST NATIONAL BANK OF SANTA FE, COLORADO  
BRANCH, and  
RICHARD QUANZ as CO-TRUSTEES and  
REPRESENTATIVES OF THE IRREVOCABLE TRUST OF STEPHEN MELENDY,  
and STEPHEN MELENDY,

Plaintiffs,

NATIONAL FIRE INSURANCE COMPANY OF HARTFORD,

Intervenor Plaintiff,

v.

THE BURTON CORPORATION,

Defendant.

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**ORDER GRANTING JOINT MOTION OF PLAINTIFFS AND  
INTERVENING PLAINTIFF TO BIFURCATE CLAIMS AND  
ISSUES PRESENTED BY THE INTERVENING PLAINTIFF**

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**Blackburn, J.**

The matter before me is the **Joint Motion of Plaintiffs and Intervening Plaintiff To Bifurcate Claims and Issues Presented by the Intervening Plaintiff** [#122],<sup>1</sup> filed July 24, 2012. In light of my **Order Granting Plaintiffs' Motion In Limine To Exclude Evidence of Collateral Sources** [#151], filed August 10, 2012, and the intervening plaintiff's waiver of any right to a jury trial on the subrogation issues presented by its claim in intervention (**see Nature of Intervening Plaintiff's Subrogation**

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<sup>1</sup> "[#122]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.

**Interest** [#150], filed August 10, 2012), I grant the motion to bifurcate the subrogation claims of the intervening plaintiff, National Fire Insurance Company of Hartford, from the trial of liability and damages in this action.

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Joint Motion of Plaintiffs and Intervening Plaintiff To Bifurcate Claims and Issues Presented by the Intervening Plaintiff** [#122], filed July 24, 2012, is **GRANTED**; and

2. That only plaintiffs' claims against defendant The Burton Corporation, **SHALL BE TRIED** during the initial trial of this case currently scheduled to commence on Monday, August 13, 2012, and

3. That if necessary, the court **SHALL SCHEDULE** a trial of the claims for subrogation of the intervening plaintiff National Fire Insurance Company of Hartford after the jury returns its verdict in the trial set to commence August 13, 2012.

Dated August 10, 2012, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge