

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-01907-PAB-KMT

ELECTROLOGY LABORATORY, INC., d/b/a Rocky Mountain Laser College, a
Colorado corporation,
RAY FLUKEN,
JODY RIGGS FLUKEN, and
JESSICA RIGGS,

Plaintiffs,

v.

LARRY PAUL KUNZE a/k/a Lorenzo Kunze and Lorenzo Blackstone Kunze, M.E.,
d/b/a American Laser College and The Laser College, and
LARRY PAUL KUNZE, JR., a/k/a Lorenzo Kunze, Jr.,

Defendants,

v.

RAY FLUKEN,
JODY RIGGS FLUKEN, and
JESSICA RIGGS,

Third-Party Defendants.

MINUTE ORDER

Entered by Judge Philip A. Brimmer

This matter is before the Court on the Stipulation and Joint Motion to Approve Stipulation Regarding Stay of Proceedings Regarding Remaining Claims [Docket No. 182]. In their motion, the parties request that the Court vacate the Final Trial Preparation Conference scheduled for April 5, 2013 and the trial set to commence on April 22, 2013. Docket No. 182 at 2-3.

On March 18, 2013, this case was stayed against defendant Lorenzo Kunze, Sr. [Docket No. 178] after he filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code. *Id.* at 2, ¶ 2. The parties state that they cannot prosecute the remaining claims at issue without Mr. Kunze, Sr. The parties request that the Court vacate the final trial preparation conference and the trial and allow the parties to submit status reports every ninety days. *Id.* at 2. In addition, the parties notified the Court that

they consent to the withdrawal of the Defendants' Motion for Summary Judgment [Docket No. 151] without prejudice.

Wherefore, it is

ORDERED that the Stipulation and Joint Motion to Approve Stipulation Regarding Stay of Proceedings Regarding Remaining Claim [Docket No. 182] is **GRANTED**. It is further

ORDERED that the Final Trial Preparation Conference scheduled for April 5, 2013 and the trial set for April 22, 2013 are **VACATED**. It is further

ORDERED that, in light of the parties' agreement, Defendants' and Third-Party Plaintiffs' Combined Motion for Summary Judgment Dismissing Plaintiff's Third Claim for Relief and Memorandum Brief in Support Thereof [Docket No. 151] is **WITHDRAWN** without prejudice. It is further

ORDERED that the parties shall file a status report every 120 days from the date of this order.

DATED March 29, 2013.