

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02244-CMA-MJW

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

RICHARD WILMER, and  
ROCK WEISS,

Defendant(s).

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff United States' Motion to Strike Jury Demand (docket no. 27) is GRANTED. The defendants do not have a right to jury trial under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§ 9601-9675, as amended, nor is there a Constitutional right to a jury trial for the claims at issue in this case. The demand for jury trial in Defendant Rock Weiss's Amended Answer (docket no. 24) is STRICKEN.

It is FURTHER ORDERED that the Pro Se Defendant Weiss [sic] Motion for Stay (docket no. 29) is DENIED for the following reasons. This case is a CERCLA action brought by Plaintiff United States against Defendant Weiss to enforce the government's police or regulatory power and therefore this action is exempted from the automatic stay consistent with 11 U.S.C. § 362(b)(4).

Date: March 14, 2012

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