

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 11-cv-03143-WJM-KMT

JTS CHOICE ENTERPRISES, INC.,

Plaintiff,

v.

E.I. DU PONT DE NEMOURS AND COMPANY,
METRO PAINT SUPPLIES, INC., and
AUTOMOTIVE COATINGS & EQUIPMENT, LLC,

Defendants.

ORDER

This matter is before the court on “Notice of Settlement and Request to Stay Deadlines and Suspend Action on Motions Filed by Defendants Metro Paint Supplies, Inc. and Automotive Coatings & Equipment, LLC” [Doc. No. 339]. Based on the representation in the Notice that parties JTS Choice Enterprises, Inc. and Metro Paint Supplies, Inc. and Automotive Coatings & Equipment, LLC have reached a settlement as to all disputed issues in this case, it is

ORDERED

1. “Notice of Settlement and Request to Stay Deadlines and Suspend Action on Motions Filed by Defendants Metro Paint Supplies, Inc. and Automotive Coatings & Equipment, LLC” [Doc. No. 339] is **GRANTED** in part as follows:

a. The parties shall file stipulated dismissal documents as to these parties and the claims between the three **on or before August 12, 2013;**

b. The following Motions are **DENIED** without prejudice and will not be heard at the scheduled motions hearing on July 17, 2013 at 1:30 pm:

#254 Defendants' Motion for Reconsideration;

#266 Defendants' Motion for Leave to Restrict;

#267 Motion in Support of Confidential Designations; and

#311 Motion for Leave to Restrict Documents. ;

c. Plaintiff's Motion for Attorney's Fees and Costs as supported by Plaintiff's Notice of Submission of Attorney's Fees and Costs [Doc. No.251] and Metro Paint's Response to Notice and Objection shall be held in abeyance pending final resolution of the matters between them or August 15, 2013, whichever first occurs;.

d. The dispositive motion deadline as to JTS Choice Enterprises, Inc. verses Metro Paint Supplies, Inc. and Automotive Coatings & Equipment, LLC **ONLY** is continued until August 15, 2013. The dispositive motion deadline with respect to JTS Choice Enterprises, Inc. verses E.I. duPont de Nemours and Company remains July 29, 2013.

IT IS FURTHER ORDERED

The court will hear argument on July 17, 2013 at 1:30 p.m. on the following motions:

#274/277 Plaintiff's/Counterclaim Defendant's Motion to Take the Deposition of Defendant/Counterclaim Plaintiff E. I. du Pont de Nemours and Company on its Counterclaim Pursuant to Fed.R.Civ.P. 30(a)(2)(A)(ii)

- #275/278 Plaintiff's/Counterclaim Defendant's Motion to Re-open the Deposition of Mark Wagner Pursuant to Fed.R.Civ.P. 30(a)(2)(A)(ii)
- #276/279 Plaintiff's/Counterclaim Defendant's Motion to Re-open the Deposition of John McLaughlin Pursuant to Fed.R.Civ.P. 30(a)(2)(A)(ii)
- #288 Motion to Restrict Exhibits 2 and 3 to Plaintiff's Response to Motion to Reconsider the May 9 Order and to Restrict Exhibits Attached in Document Number 212 [Dkt No. 260]
- #296/299 Defendant E.I. du Pont de Nemours and Company's Motion in Support of its Confidential and Highly Confidential Document Designations
- #328 Motion to Compel the Availability of Counterclaim Deponents in Colorado
- #329 Motion to Restrict Plaintiff's Response to Defendant E.I. du Pont de Nemours and Company's Motion in Support of its Confidential and Highly Confidential Document Designations [Dkt No. 319]
- #332 Unopposed Motion of Defendant E.I. du Pont De Nemours and Company to Restrict Dupont's Response to Plaintiff's/Counterclaim Defendant's Motions to Re-open the Depositions of Mark Wagner, John McLaughlin, and to take a Second 30(b)(6) Deposition of duPont and Certain Exhibits to Same

Dated this 15th day of July, 2013.

BY THE COURT:



Kathleen M. Tafoya
United States Magistrate Judge