

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 12-cv-00161-CMA-CBS

LIBERTY BANKERS LIFE INSURANCE COMPANY,

Plaintiff,

v.

COLORADO CAPITAL BANK,
FEDERAL DEPOSIT INSURANCE CORPORATION, as Receiver for
Colorado Capital Bank, and
FIRST CITIZENS BANK AND TRUST COMPANY,

Defendants.

**ORDER TO ADMINISTRATIVELY CLOSE CASE PENDING
RESOLUTION OF STATE COURT MATTER**

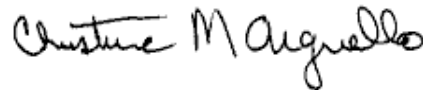
This matter is before the Court on the Parties' Joint Motion to Stay Proceedings (Doc. # 50). The Court having reviewed the Joint Motion, the record in this matter, and being otherwise familiar with the premises, FINDS that rather than leaving this case open indefinitely, it should be administratively closed pursuant to D.C.COLO.LCivR 41.2, with leave to be reopened for good cause shown, or until such time as the state court litigation between the Parties has been resolved. Accordingly, the Joint Motion is GRANTED, and the Court further ORDERS as follows:

1. The Clerk of the Court shall administratively close this action pursuant to D.C.COLO.LCivR 41.2;
2. All existing case deadlines and hearings shall be VACATED; and

3. The Parties shall notify this Court of the final resolution of the state court proceedings between them in *Wexford Borrower, LLC, et al. v. First-Citizens Bank & Trust Company, et al.*, Eagle County District Court, Case No. 11CV227, no later than fourteen days after that case is concluded between the Parties by final judgment, dismissal, settlement, or otherwise.

DATED: November 27, 2012

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge