

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

Civil Case No. 12-cv-00236-REB-KMT

ROGER RIVARD, JR., an individual,

Plaintiff,

v.

GATES & RYMPH, INC., a Colorado corporation, a/k/a C.E.P. INC., a Colorado corporation, d/b/a PLEASURES ENTERTAINMENT,

Defendant.

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**ORDER DENYING MOTION FOR SUMMARY JUDGMENT**

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**Blackburn, J.**

This matter is before me on the **Defendants' Motion for Summary Judgment On All Claims** [#13]<sup>1</sup> filed January 14, 2013. The plaintiff filed a response [#19]. I deny the motion.<sup>2</sup>

I have jurisdiction over this case under 28 U.S.C. § 1331 (federal question) and § 1367 (supplemental). I have reviewed the motion, the response, and the apposite arguments, authorities, and evidence presented by the parties. It is apparent that there

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<sup>1</sup> “[#13]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

<sup>2</sup> The issues raised by and inherent to the motion for summary judgment are fully briefed, obviating the necessity for evidentiary hearing or oral argument. Thus, the motion stands submitted on the briefs. Cf. **FED. R. CIV. P. 56(c)** and **(d)**. *Gear v. Boulder Cmty. Hosp.*, 844 F.2d 764, 766 (10th Cir.1988) (holding that hearing requirement for summary judgment motions is satisfied by court’s review of documents submitted by parties).

exist genuine issues of material fact that are not appropriate for summary resolution.

**THEREFORE, IT IS ORDERED** that the **Defendants' Motion for Summary Judgment On All Claims** [#13] filed January 14, 2013, is **DENIED**.

Dated March 20, 2013, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge