

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-00393-PAB-KLM

TIMOTHY L. BLIXSETH, an individual,

Plaintiff,

v.

CUSHMAN & WAKEFIELD OF COLORADO, INC., a Colorado corporation,  
DEAN PAUWW, an individual and citizen of the State of Colorado,  
CUSHMAN & WAKEFIELD, INC., a New York corporation,  
CREDIT SUISSE AG, a Swiss corporation,  
CREDIT SUISSE GROUP AG, a Swiss corporation,  
CREDIT SUISSE SECURITIES (USA), LLC, a Delaware limited liability company,  
CREDIT SUISSE (USA), INC, a Delaware corporation,  
CREDIT SUISSE HOLDINGS (USA) INC., a Delaware corporation,  
CREDIT SUISSE CAYMAN ISLAND BRANCH, an entity of unknown type, and  
DOES 1-100,

Defendants.

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MINUTE ORDER

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ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Defendants Credit Suisse AG, Credit Suisse Securities (USA), LLC, Credit Suisse (USA), Inc., Credit Suisse Holdings, (USA) Inc., and Credit Suisse Cayman Island Branch's (collectively, "Credit Suisse") Motion to Stay Pending Determination of Related Bankruptcy Appeal** [Docket No. 41; Filed August 14, 2012] (the "Motion"). Plaintiff has filed a **Response in Opposition to Credit Suisse's Motion to Stay Pending Determination of Related Bankruptcy Appeal** [#46; Filed September 4, 2012]. No reply has been filed.

On September 11, 2012, this Court issued an Order [#50] granting Credit Suisse's Motion to Extend Discovery Stay [#42] and staying discovery pending resolution of the Motions to Dismiss [##24, 28]. That stay remains in place. In the instant Motion, Credit Suisse seeks a stay "[i]n the alternative to the relief sought in their pending Motion to Dismiss." [#41] at 1. Thus, Credit Suisse seeks relief only "to the extent this Court does not dismiss the Complaint." *Id.* at 2.

In light of the stay currently in place and given that the relief requested in the instant Motion is dependent upon a ruling on the Motions to Dismiss [##24, 28],

IT IS HEREBY **ORDERED** that the Motion [#41] is **DENIED WITHOUT PREJUDICE**. Credit Suisse may re-submit the Motion in the event that the stay currently in place [#50] is lifted following a ruling on the Motions to Dismiss [##24, 28] by the District Judge.

Dated: January 11, 2013