

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 12-cv-01429-WYD-BNB

IN THE MATTER OF

Establishment Inspection of  
  
Colorado Forge  
107 Trinity Lane  
Pagosa Springs, Colorado 81147

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**ORDER**

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The parties appeared this afternoon pursuant to my Order to Show Cause. At issue is the Secretary of Labor's Motion for Order Directing Colorado Forge . . . and Michael Selinsky to Appear and Show Cause Why They Should Not Be Held In Contempt [etc.] [Doc. # 3, filed 5/28/2012] (the "Motion for Contempt"). The Motion for Contempt seeks to hold Colorado Forge and Michael Selinsky in contempt of court for failure to comply with this court's Inspection Warrant [Doc. # 2]. The Inspection Warrant commands Colorado Forge and its representatives to allow an inspection of Colorado Forge's workspace by Compliance Safety and Health Officers of the Occupational Safety and Health Administration. Id.

Prior to conducting the hearing contemplated by the Order to Show Cause, I inquired of the parties whether there is any basis upon which the issue can be resolved voluntarily. After a brief recess, I was informed that such a resolution had been reached, as follows:

- (1) The hearing on the Order to Show Cause should be vacated, to be reset at a later date if necessary;
- (2) The Inspection Warrant will be executed within the next eight weeks. Inspectors

other than those who previously appeared at Colorado Forge will conduct the inspection. Colorado Forge and Michael Selinsky will comply with the requirements of the Inspection Warrant; and

(3) Mr. Selinsky will comply with the commands of a subpoena duces tecum served on him to the following extent: he will produce the materials specified in Item # 1 of the subpoena for the time period of January 1, 2012, through the present.

Consistent with the parties' agreement,

IT IS ORDERED:

(1) The hearing on the Order to Show Cause [Doc. # 9] is VACATED, to be reset at a later date if necessary; and

(2) On or before **September 10, 2012**, the parties shall file a status report addressing whether the inspection has occurred; whether the Order to Show Cause can be discharged; whether this action can be closed; and any further proceedings which may be necessary.

Dated July 10, 2012.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge