

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01621-MJW

FIRST STATE BANK OF COLORADO, as Successor-in-Interest by Merger to Colorado Mountain Bank,

Plaintiff,

v.

WESTERN HOSPITALITY INSURANCE GROUP,

Defendant.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

On September 28, 2012, each party to this matter filed a motion related to the requirement for a Certificate of Review pursuant to C.R.S. § 13-20-602. Specifically, plaintiff filed a motion seeking an extension of time to file a certificate of review (Docket No. 19), and defendant filed a motion to dismiss (Docket No. 20) based on plaintiff's failure to timely file a certificate of review. On October 1, 2012, plaintiff filed its Certificate of Review (Docket No. 23).

There is no dispute that plaintiff did not file a certificate of review within 60 days of service of the complaint. However, after reviewing plaintiff's motion for an extension of time, the court finds plaintiff had good cause for the delay and acted in good faith. See C.R.S. § 13-20-602(1)(a) (stating that the court may grant an extension for good cause shown).

Accordingly, it is hereby ORDERED that plaintiff's motion for extension of time (Docket No. 19) is GRANTED and defendant's motion to dismiss (Docket No. 20) is DENIED.

Date: October 4, 2012
