

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01948-PAB-MEH

COLORADO SPRINGS ORTHOPAEDIC GROUP, a Colorado general partnership,
COLORADO SPRINGS SPINE, P.C., a Colorado professional corporation,
COLORADO SPRINGS ORTHOPAEDIC GROUP 401(k) PROFIT-SHARING PLAN,
JAMES M. BEE, M.D., and
ROGER D. SUNG, M.D.,

Plaintiffs,

v.

ASHLEY A. WIECHMANN, CPA, an individual,
WIECHMANN & ASSOCIATES, P.C., a Colorado professional corporation, and
WIECHMANN, BOYCE & ASSOCIATES, LLP, a Colorado limited liability partnership,

Defendants.

ORDER

Michael E. Hegarty, United States Magistrate Judge.

Before the Court is the Joint Motion to Strike Entry of Appearance [filed January 30, 2013; docket #44]. In accordance with 28 U.S.C. § 636(b)(1)(B) and D.C. Colo. LCivR 72.1C, the matter is referred to this Court for disposition [docket #45]. The matter is fully briefed and the Court finds oral argument will not assist in its adjudication of the motion. For the following reasons, the motion is **granted**.

HR Briargate, LLC is not a party to this litigation. Rather, its attorney has filed an entry of appearance in this case for the convenience of receiving immediate notice of all filings, because HR Briargate, LLC is a party in a related federal case, *HR Briargate, LLC v. Colorado Springs Orthopedic Group et al.*, Civil Action No. 12-cv-02636-RBJ, assigned to a different district judge. HR Briargate, LLC's counsel desires the convenience of simply receiving an automatic Notice of Electronic Filing each time a document is filed in this case, rather than having to manually check

the electronic docket. No order has entered joining the cases in any fashion. I agree with Plaintiffs that as a matter of law, HR Briargate, LLC and its counsel have no standing in this case greater than the general public. Our rules do not contemplate this sort of entry of appearance, and that is not a mere hypertechnicality. There are procedures for altering our Case Management/Electronic Case Filing system, and if HR Briargate, LLC's counsel believes a gap exists in our system, and that the Court should permit an entry of appearance of this nature, he should inquire about such procedures and see if a change can be made.

Dated this 8th day of March, 2013, in Denver, Colorado.

BY THE COURT:

A handwritten signature in black ink that reads "Michael E. Hegarty". The signature is written in a cursive style with a large initial 'M' and 'H'.

Michael E. Hegarty
United States Magistrate Judge