

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-002241 RPM

BROWNSTEIN HYATT FARBER SCHRECK, LLP,
a Colorado limited liability partnership

Plaintiff,

v.

HYPO REAL ESTATE CAPITAL CORPORATION,
a Delaware corporation.

Defendant.

ORDER DENYING MOTION TO DISMISS

This civil action was initiated by a complaint filed on August 23, 2012. A first amended complaint was filed on August 31, 2012 [Doc. 5]. On November 12, 2012, the defendant filed a motion to dismiss the amended complaint [Doc. 17]. Repeated requests for extension of time to respond to that motion to dismiss were granted on representation that settlement negotiations were taking place. On July 31, 2013, the plaintiff filed a response to the motion to dismiss [Doc. 32]. The defendant was granted extensions of time to file a reply, again on representation that settlement negotiations were proceeding. The last date for the defendant to file a reply was January 15, 2014, and none has been filed. Upon review of the amended complaint and the motion to dismiss, it is

ORDERED that the motion to dismiss is denied and the defendant will answer the amended complaint on or before February 27, 2014.

DATED this 4th day of February, 2014.

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge