

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02420-MSK-CBS

KAREN KINNE,
TIM DILL, and
ABRAHAM BACA,
Plaintiffs,

v.

ROCKY MOUNTAIN EMS, INC. d/b/a ROCKY MOUNTAIN MOBILE MEDICAL, and
RAYMOND GOETZE,
Defendants.

ORDER

Magistrate Judge Craig B. Shaffer

This civil action comes before the court on: (1) Plaintiff's Unopposed Motion for Leave to Amend Complaint; and (2) Defendants' Motion to Dismiss Plaintiffs' First Amended Collective Action Complaint Pursuant to Fed. R. Civ. P. 12(b)(6). Pursuant to the Order Referring Case dated October 15, 2012 (Doc. # 6) and the memoranda dated April 8, 2013 (Doc. # 50) and April 30, 2013 (Doc. # 53), these matters were referred to the Magistrate Judge. The court having reviewed the Motion, the pleadings, the entire case file, and the applicable law and being sufficiently advised in the premises, IT IS ORDERED that:

1. Plaintiff's Unopposed Motion for Leave to Amend Complaint (filed April 29, 2013) (Doc. # 52) is GRANTED and the Second Amended Collective Action Complaint (Doc. # 52-1) is accepted for filing as of the date of this Order. The Clerk of the Court shall docket Doc. # 52-1 as the Second Amended Complaint.

2. Defendants' Motion to Dismiss Plaintiffs' First Amended Collective Action Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) (filed April 8, 2013) (Doc. # 49) is DENIED WITHOUT PREJUDICE, in light of the filing of the Second Amended Collective Action Complaint. Defendants shall answer or otherwise respond to the Second Amended

Collective Action Complaint on or before May 20, 2013.

DATED at Denver, Colorado, this 30th day of April, 2013.

BY THE COURT:

s/Craig B. Shaffer
United States Magistrate Judge