

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02992-CMA-MJW

PHEBE LASSITER,

Plaintiff(s),

v.

PINNACLE FINANCIAL GROUP INCORPORATED,

Defendant(s).

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff's Motion to Strike Defendant's Affirmative Defense Pursuant to Fed. R. Civ. P. 12(f)(2) (docket no. 14) is MOOT and therefore DENIED. In Defendant's Response (docket no 19), it is clear that Defendant has agreed to withdraw the affirmative defense of laches and therefore there was no need to file the subject motion. The affirmative defense of laches is WITHDRAWN. Each party shall pay their own attorney fees and costs for the subject motion. The parties are reminded that D.C.COLO.LCivR 7.1(A) requires that counsel **confer** before filing such motions like the subject motion

Date: January 31, 2013
