

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 12-cv-03190-RPM-BNB

DOETTA LIVINGSTON,

Plaintiff,

v.

VISION FINANCIAL CORP., a New York corporation,

Defendant.

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**ORDER**

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This matter arises on the plaintiff's **Motion to Enforce the Settlement Agreement and for Entry of Judgment for the Plaintiff and Against the Defendant** [Doc. # 11, filed 3/18/2013] (the "Motion to Enforce").

This case involves a claim under the Fair Debt Collection Practices Act. Service of the summons and complaint was made on December 6, 2012, and proof of service was filed with the court on December 7, 2012. Return of Service [Doc. # 5]. The case was set for a scheduling conference to occur on February 6, 2013. Order [Doc. # 6]. On January 30, 2013, plaintiff's counsel filed a Notice of Settlement [Doc. # 7] indicating that the case was resolved and that a notice of dismissal would be filed by February 8, 2013. The defendant had not yet appeared. On the strength of the Notice of Settlement, I vacated the scheduling conference and ordered the parties to file a stipulation of dismissal on or before February 8, 2013. Minute Order [Doc. # 8]. I extended the deadline to file a stipulation of dismissal to March 1, 2013. Minute Order [Doc. # 10].

On March 18, 2013, the plaintiff filed her Motion to Enforce. According to the plaintiff, the defendant was required to deliver the settlement funds on or before February 5, 2013, but has failed to do so. Motion to Enforce [Doc. # 11]. The defendant still has not appeared in the action.

IT IS ORDERED:

(1) The plaintiff shall cause the Motion to Enforce [Doc. # 11] and this Order to be served on the in the manner prescribed by Fed. R. Civ. P. 4(h) on or before April 3, 2013; and

(2) The defendant shall respond to the Motion to Enforce [Doc. # 11] at the earlier of 14 calendar days after service pursuant to ¶1 above or April 17, 2013.

Dated March 20, 2013.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge