

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00399-WYD-KLM

BITUMINOUS CASUALTY CORPORATION,

Plaintiff,

v.

FRONT RANGE EXCAVATING, INC.,  
TRI-STAR CONSTRUCTION WEST, LLC, and  
GOLDEN PEAK AT PALOMINO PARK, LLC,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on **Plaintiff's Motion to Change Case Caption** [#60]<sup>1</sup> (the "Motion"). As an initial matter, the Motion does not comply with D.C.COLO.LCivR 7.1(a), which provides as follows:

Before filing a motion, counsel for the moving party or an unrepresented party shall confer or make reasonable good faith efforts to confer with any opposing counsel or unrepresented party to resolve any disputed matter. The moving party shall describe in the motion, or in a certificate attached to the motion, the specific efforts to fulfill this duty.

D.C.COLO.LCivR 7.1(b) excepts certain motions from this requirement, however, the Motion does not fall within any of those exceptions. The Motion is subject to denial on this basis alone. Accordingly,

IT IS HEREBY **ORDERED** that the Motion [#60] is **DENIED without prejudice**.

Dated: October 9, 2014

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<sup>1</sup> "[#60]" is an example of the convention I use to identify the docket number assigned to a specific paper by the Court's case management and electronic case filing system (CM/ECF). I use this convention throughout this Minute Order.