

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

Civil Action No. 13-cv-00507-REB-BNB

THE PHOENIX INSURANCE COMPANY,  
THE TRAVELERS INDEMNITY COMPANY, and  
THE TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA

Plaintiffs,

v.

CANTEX, INC.,  
CONCRETE MANAGEMENT CORP.,  
LANDMARK AMERICAN INSURANCE COMPANY,  
OLD REPUBLIC INSURANCE COMPANY, and  
RBR CONSTRUCTION, INC.,

Defendants,

and

OLD REPUBLIC INSURANCE COMPANY,

Third Party Plaintiff,

v.

CONTINENTAL INSURANCE COMPANY,  
AMERICAN INSURANCE COMPANY,  
LANDMARK AMERICAN INSURANCE COMPANY,  
AMERISURE INSURANCE COMPANY,

Third Party Defendants.

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**ORDER**

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The parties appeared this afternoon for a status conference. Currently pending are the following:

- (1) **Landmark's Motion for Leave to File Amended Crossclaim for Declaratory**

**Judgment** [Doc. # 94, filed 7/8/2014];

(2) **Plaintiffs' Motion for Leave to Amend Complaint** [Doc. # 97, filed 7/15/2014]; and

(3) **Cantex' Motion to Stay or Dismiss** [Doc. # 102, filed 8/1/2014].

Landmark's and plaintiffs' motions to amend are not opposed and are granted. The Motion to Stay or Dismiss is recently filed, resisted, and not fully briefed. The parties shall respond and reply to that motion as permitted by the local rules of this court.

IT IS ORDERED:

(1) Landmark's Motion to File Amended Crossclaim [Doc. # 94] is GRANTED. The Clerk of the Court is directed to accept for filing Landmark's Amended Crossclaim [Doc. # 94-1];

(2) Plaintiffs' Motion to Amend [Doc. # 97] is GRANTED. The Clerk of the Court is directed to accept for filing the First Amended Complaint [Doc. # 97-1]; and

(3) Cantex' Motion to Stay or Dismiss [Doc. # 102] is set for hearing on September 18, 2014, at 3:00 p.m., in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado.

Dated August 7, 2014.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge