

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Action No. 13-cv-1447-WJM-KLM

ISAAC MORADI, individually and as trustee for the Moradi Family Trust,  
FOROUGH MORADI, as trustee for the Saeed and Forough Moradi Family Trust,  
MIKE MORADI,  
KATINA MORADI,  
ALBERT MORADI,  
CAROLINE MORADI,  
I&J PARTNERSHIP, LP, and  
610 SOUTH MAIN, LLC,

Plaintiffs/Counterclaim Defendants,

v.

ESTATE OF EVERETT LEROY PFEIFF, and  
LINDA PFEIFF, individually and as personal representative of the Estate of Everett Leroy  
Pfeiff,

Defendants, and

OLDE WORLD DEVELOPMENT, LLC.,

Defendant/Counterclaim Plaintiff.

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**ORDER *SUA SPONTE* ADMINISTRATIVELY CLOSING CASE**

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In August 2014, the parties jointly moved to extend certain deadlines in the Court's scheduling order for the purposes of allowing them to pursue mediation. (ECF No. 117.) The Court granted that request, which effectively stayed the case. (ECF No. 119.) After mediation was conducted in November 2014, the parties filed a Notice of Settlement stating that, at a mediation on October 20, 2014, Plaintiffs, Defendants, and proposed Third Party Defendants had "reached a full and final settlement of all claims and defenses." (ECF No. 120.) The parties stated that they would file a joint motion to

dismiss upon completion of the settlement documents. (*Id.*) On December 2, 2014, the Court vacated all remaining deadlines in the case and ordered that the parties to file dismissal documents by January 23, 2015. (ECF No. 121.)

On January 21, 2015, the parties filed a Joint Motion to Extend Time for Parties to File Dismissal Papers (“Motion”). (ECF No. 122.) The Motion states that the parties “have been diligently negotiating and preparing the settlement documents” and that, while they have “made significant progress”, the final documents will not be finalized by January 23, 2015. (*Id.*) The parties seek a one month extension of their deadline to file dismissal paperwork. (*Id.*)

Given the above, the Court declines to grant the requested relief but will instead *sua sponte* administratively close the case. This case has effectively been stayed since August 2014, which has prevented the Court from ruling on any outstanding motions, some of which have been pending for nearly a year. The parties reached a settlement of this case in October, and despite having more than three months to finalize settlement documents, have been unable to do so, and the Court is unable to discern from the record when this period of delay will come to an end. Moreover, at this point, it appears there is no live dispute regarding the merits of the claims at issue in this case, and that the case is simply awaiting the parties’ final agreement on the settlement documents.

Accordingly, the Court ORDERS as follows:

1. The Parties’ Joint Motion to Extend Time for Parties to File Dismissal Papers (ECF No. 122) is DENIED; and
2. This matter be ADMINISTRATIVELY CLOSED pursuant to local rule D.C.COLO.LCivR 41.2. The parties may move to reopen this case once

settlement and dismissal papers have been finalized, or for any other good cause shown.

Dated this 23<sup>rd</sup> day of January, 2015.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "William J. Martinez", written over a horizontal line.

William J. Martinez  
United States District Judge