

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

Civil Action No. 13-cv-01471-CMA-BNB

BRAIN SYNERGY INSTITUTE, LLC, d/b/a Carrick Brain Centers,

Plaintiff,

v.

ULTRATHERA TECHNOLOGIES, INC., and
KEVIN MAHER,

Defendants.

ORDER

Pending is the defendants' **Motion to Dismiss, Stay, or Transfer Venue** [Doc. # 10, filed 7/24/2013] (the "Motion"). Similar issues are pending in a related action before the United States District Court for the Northern District of Georgia. Following a hearing on August 27, 2013, I noted that "the defendants suggested, without opposition from BSI, that I postpone making a recommendation on the Motion . . . pending a decision in the Georgia Action of the [related] motions to intervene and to dismiss." Order [Doc. # 24]. The motions in Georgia remain pending.

IT IS ORDERED:

- (1) The Motion [Doc. # 10] is DENIED without prejudice, to be renewed if necessary following a ruling by the Georgia court; and
- (2) The parties shall file a status report at the earlier of ten day following a ruling by the Georgia court or April 14, 2014, addressing the ruling by that court and the parties' recommendation of the impact of that ruling on this action.

Dated January 21, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge