

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe**

Civil Action No. 13-cv-01930-RM-MJW

FTR - Courtroom A-502

Date: September 23, 2014

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

DANIEL LYSYJ and
DAVID RHOADS,
on behalf of themselves and others similarly situated,

Donna E. Dell'Olio

Plaintiff(s),

v.

MILNER DISTRIBUTION ALLIANCE, INC.,
d/b/a Maxx Sunglasses, a Colorado corporation,
NANCY MILNER, and
RICHARD MILNER,

Mark A. Barrionuevo
Jason R. Hirsch

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: TELEPHONIC MOTIONS HEARING

Court in Session: 10:07 a.m.

Court calls case. Appearances of counsel.

Discussion is held regarding status of defendants. It is noted the defendant corporation has filed Chapter 11 Bankruptcy, case number 14-22962, in the United States Bankruptcy Court in the District of Colorado, Judge Sidney B. Brooks presiding. It is believed the individual defendants have not filed a petition for Bankruptcy.

It is ORDERED: This civil action is STAYED based upon the Bankruptcy filing.

In light of the STAY,

It is ORDERED: Defendants' MOTION FOR EXTENSION OF SCHEDULING ORDER DATES [Docket No. **148**, filed September 02, 2014] is **HELD IN ABEYANCE**.

It is ORDERED: Defendants' MOTION TO QUASH AUGUST 28, 2014, SUBPOENA *DUCES TECUM* ISSUED BY PLAINTIFFS TO NON-PARTY, LEVEL 3 COMMUNICATIONS [Docket No. 153, filed September 10, 2014] is **HELD IN ABEYANCE**.

It is ORDERED: Plaintiffs are granted leave to file, **on or before SEPTEMBER 30, 2014**, any appropriate motion to proceed against the individual defendants. Defendants shall file any response **within ten (10) days** of the filing by the Plaintiffs of a motion to proceed against the individual defendants.

Noting that if the Plaintiffs file their motion on September 30, 2014, Defendants shall have up to and including October 10, 2014 within which to file any response.

Hearing concluded.

Court in recess: 10:16 a.m.
Total In-Court Time 00:09

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