

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 13-cv-02584-REB-BNB

OCD TELLURIDE LLC, a Colorado limited liability company,

Plaintiff,

v.

BLANEY McMURTRY LLP, an Ontario limited liability partnership,

Defendant.

ORDER LIFTING ADMINISTRATIVE CLOSURE

Blackburn, J.

This matter is before me on the **Plaintiff's Unopposed Motion To Reopen Case** [#26]¹ filed January 7, 2015. I grant the motion.

This case was closed administratively pending resolution by the United States Court of Appeals for the Tenth Circuit of the appeal pending in a related case, **CGC Holding Co. v. Meisels**. The Tenth Circuit has resolved that appeal, and the parties seek to re-open the above-captioned case. These circumstances constitute good cause to reopen this case.

Under D.C.COLO.LCivR 41.2, administrative closure of a case terminates all pending motions. Re-opening of the case does not reinstate such motions. In the present motion, the parties seek reinstatement of the **Defendant's Motion To Dismiss Plaintiff's RICO Conspiracy Claim** [#16] and the **Amended Plaintiff's Response To**

¹ "[#26]" 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 order.

Defendant's Motion To Dismiss [#21]. The motion and response are reinstated on the docket.

THEREFORE, IT IS ORDERED as follows:

1. That the **Plaintiff's Unopposed Motion To Reopen Case** [#26] filed January 7, 2015, is granted;
2. That under **D.C.COLO.LCivR 41.2**, the clerk is **DIRECTED** to reopen this civil action;
3. That the **Defendant's Motion To Dismiss Plaintiff's RICO Conspiracy Claim** [#16] shall be reinstated on the docket as a pending motion with a filing date of April 8, 2015;
4. That the **Amended Plaintiff's Response To Defendant's Motion To Dismiss** [#21] shall be reinstated on the docket with a filing date of April 8, 2015;
5. That by April 29, 2015, the defendant may file a reply in support of its motion [#16] to dismiss;
6. That the stay of discovery which was in place when this case was closed administratively shall remain in place pending assessment by the magistrate judge of the continued need for a stay of discovery; and
7. That the order of reference [#4] to the magistrate judge shall remain in full force and effect.

Dated April 8, 2015, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge