

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

Civil Action No. 13-cv-02805-REB-BNB

REALITY TECHNOLOGY, INC.,  
IVAN DRINKS, SR., and  
IVAN DRINKS, JR.,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

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**ORDER**

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**Blackburn, J.**

This matter is before me *sua sponte*. This case is currently set for a four-day bench trial commencing Monday, February 9, 2015. However, still pending for recommendation before the magistrate judge is **Defendant's Motion To Dismiss and for Judgment on the Pleadings** [#33],<sup>1</sup> filed September 26, 2014. Even if a recommendation were issued today, there would be insufficient time for the parties to marshal any objections and responses thereto and for me to consider and rule on any such objections and the recommendation before the date currently set for bench trial.

Thus, I find and conclude that it would be in the best interest of all to vacate and continue the trial (and all attendant pretrial deadlines) until after the motion to dismiss has been fully vetted.

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<sup>1</sup> "[#33]" 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.

**THEREFORE IT IS ORDERED** that all extant pretrial deadlines, the combined Final Pretrial Conference and Trial Preparation Conference set **February 6, 2015**, at **10:00 a.m.**, and the bench trial set to commence **February 9, 2015**, are **VACATED** and **CONTINUED** pending further order of court.<sup>2</sup>

Dated January 23, 2015, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge

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<sup>2</sup> In the event that my resolution of the magistrate judge's recommendation does not fully dispose of all claims and causes of action, I will enter further orders to reschedule this matter for trial to the court.