

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

Civil Action No. 13-cv-03275-REB-KLM

BIG CATS OF SERENITY SPRINGS, INC.,
NICK SCULAC,
JULIE WALKER, and
JULES INVESTMENT, INC.,

Plaintiffs,

v.

THOMAS J. VILSACK (in his Official Capacity as Secretary of Agriculture),
CINDY RHODES,
TRACY THOMPSON, and other unnamed USDA employees

Defendants.

ORDER ADMINISTRATIVELY CLOSING CASE

Blackburn, J.

The matter before me is **Defendants' Motion To Stay Proceedings** [#61],¹ filed May 28, 2015. Despite their initial opposition to the motion (**see Def. Motion** at 1), plaintiffs subsequently conceded to the relief requested herein (**see Response to Defendants' Motion To Stay Proceedings** [#66], filed June 19, 2015). This court's decision denying their claim of qualified immunity as to the *Bivens* and section 1983 claims made in this lawsuit is ostensibly a final decision properly appealable. **See *Ashcroft v. Iqbal***, 556 U.S. 662, 672, 129 S.Ct. 1937, 1946, 173 L.Ed.2d 868 (2009). A stay of proceedings and concomitant administrative closure therefore would be

¹ "[#61]" 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.

appropriate, as this court now lacks jurisdiction over the matter. **Stewart v. Donges**, 915 F.2d 572, 575 (10th Cir. 1990).

THEREFORE, IT IS ORDERED as follows:

1. That **Defendants' Motion To Stay Proceedings** [#61], filed May 28, 2015, is granted;
2. That all currently pending deadlines in this case are vacated;
3. That this matter is stayed pending further order; and
4. That under D.C.COLO.LCivR 41.2, the clerk is directed to close this case administratively, subject to reopening for good cause.

Dated June 23, 2015, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge