

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 14-cv-00701-REB-KMT

LIBERTY INSURANCE CORPORATION, an Illinois corporation,

Plaintiff,

v.

MERCHANTS MORTGAGE & TRUST CORPORATION, LLC, a Colorado limited liability company d/b/a MERCHANTS MORTGAGE & TRUST CORPORATION,

Defendant.

ORDER

This matter is before the court on the parties' "Joint Status Report" [Doc. No. 55] ("JSR") filed November 5, 2014. The matter was scheduled for a status hearing on November 12, 2014, however the court was detained by inclement weather and the hearing was vacated.

Having reviewed the parties' submission, the court finds that the interests of justice would be well-served by delaying discovery in this matter until District Judge Blackburn has had an opportunity to review and rule on "Merchants Mortgage's Motion for Partial Summary Judgment for Declaration that Loss Caused by Fire is Covered by Insurance" [Doc. No. 43] and Liberty Insurance Corporation's "Motion for Summary Judgment" [Doc. No. 45]. The court concurs with the parties' representation that "the Court's determination of the coverage issue may resolve this lawsuit in its entirety or substantially narrow the scope of discovery." (JSR at

¶ 4.) Additionally, the parties have scheduled mediation with the Judicial Arbiter Group on December 2, 2014. (JSR at ¶ 11.) Allowing the parties to focus on settlement at this stage of the case rather than engaging in what conceivably will become unnecessary discovery, will assist in obtaining the just, speedy and inexpensive determination of the proceeding. See Fed. R. Civ. P. 1.

Therefore, it is **ORDERED**

1. Discovery in this case is **STAYED** pending resolution of the parties' cross motions for summary judgment more particularly described herein.

2. The deadlines for the close discovery of February 24, 2015, filing dispositive motions of March 24, 2015, disclosure of affirmative experts of January 20, 2015, disclosure of rebuttal experts of February 17, 2015 and for filing Fed. R. Civ. P. 702 motions of March 19, 2015 are **VACATED**.

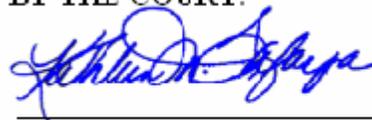
3. Within five days of a ruling on Doc. Nos. 43 and 45, if any part of the case remains pending, the parties shall file a status report and proposed discovery schedule to govern the remaining issues.

Further, it is **RECOMMENDED**

1. The trial date of June 22, 2015 and the pre-trial conference scheduled June 12, 2015 at 10:00 a.m. be vacated, subject to re-setting as appropriate.

Dated this 14th day of November, 2014.

BY THE COURT:



Kathleen M. Tafoya
United States Magistrate Judge