

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:14-cv-01237-RPM

UET RR, LLC,

Plaintiff,

v.

BENJAMIN D. COMIS,  
TALANDA SYKES,  
K3B PARTNERS, ULC,  
BARRY W. COMIS,  
FALCON CREEK ASSET MANAGEMENT, INC.,  
RKB INVESTMENTS, LTD.

Defendants.

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**STIPULATION AND PROPOSED ORDER  
REGARDING DEFENDANTS' JURISDICTIONAL MOTIONS**

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As requested by the Court at hearing on August 29, 2014 (Dkt. #30), plaintiff UET RR, LLC ("UETRR") and defendants K3B Partners, ULC, Falcon Creek Asset Management, Inc., RKB Investments, Ltd., and Barry W. Comis hereby enter the following stipulation with respect to defendants' motions to dismiss for lack of personal jurisdiction (Dkt. ##16, 29), plaintiff's preliminary response thereto (Dkt. ##21, 22), and the Court's orders (Dkt. ## 23, 30):

1. Plaintiff will conduct written discovery and depositions regarding jurisdictional evidence for its response to defendants' motions. Plaintiff's response to the pending motions to dismiss is extended in accordance with the schedule herein.

2. Defendants shall respond to any such written discovery in accordance with Rules 33, 34, and 36 of the Federal Rules of Civil Procedure. The parties shall work together to promptly resolve any objections to written discovery and, if necessary, promptly bring any such unresolved objections before the Court for resolution.

3. The parties shall cooperate in good faith in the scheduling and setting of depositions to allow for efficient, economical, and timely discovery to further resolution of the pending jurisdictional motions.

4. Jurisdictional discovery will likely involve documents and persons located outside the forum and the United States. The parties will attempt to conclude such discovery by November 14, 2014. If discovery cannot be concluded by said date, the parties will so advise the Court and seek appropriate relief, including, potentially, an extension of the schedule or the setting of a further status conference.

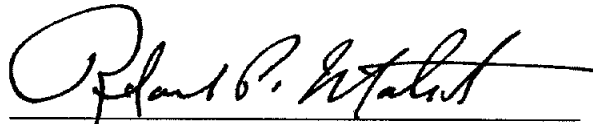
5. Assuming discovery is concluded by November 14, 2014, plaintiff will file its response to defendants' motions by December 15, 2014. Defendants will file any reply on or before December 30, 2014.

6. All other proceedings in this matter against defendants who have appeared and moved to dismiss for want of personal jurisdiction are stayed pending further order.

7. This Order may be modified by motion and a showing of good cause.

DATED this 5<sup>n</sup> day of September, 2014.

**SO ORDERED:**



Richard P. Matsch, Senior Judge  
United States District Court

**APPROVED AS TO FORM AND SUBSTANCE:**

September 4, 2014.

**FEATHERSTONE DESISTO LLC**

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