

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

Civil Action No. 1:14-cv-01932-REB-CBS

GENERAL STEEL DOMESTIC SALES, LLC  
d/b/a GENERAL STEEL CORPORATION,

Plaintiff,

v.

ETHAN DANIEL CHUMLEY AND ATLANTIC  
BUILDING SYSTEMS, LLC,

Defendants.

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**ORDER GRANTING DEFENDANTS' MOTION TO VACATE  
TRIAL SETTING AND STAY PROCEEDINGS PENDING APPEAL**

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**Blackburn, J.**

The matter before me is **Defendants' Motion To Vacate Trial Setting and Stay Proceedings Pending Appeal** [#178],<sup>1</sup> filed August 19, 2015. I held a status conference on the motion on August 20, 2015. Having considered the arguments advanced and authorities cited in the motion and during the status conference, and having been apprised that the Tenth Circuit has declined plaintiff's request to determine its motion to dismiss the appeal on an emergency basis (**see Notice of Tenth Circuit Court of Appeals Order Denying Plaintiff-Appellee General Steels's Request To Decide its Motion To Dismiss Appeal on an Expedited Basis**, Exh. 1 [#185-1], filed August 21, 2015), the court finds and concludes that it would be prodigal to proceed to

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<sup>1</sup> "[#178]" 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.

trial as set.

**THEREFORE, IT IS ORDERED** as follows:

1. That **Defendants' Motion To Vacate Trial Setting and Stay Proceedings Pending Appeal** [#178], filed August 19, 2015, is granted;

2. That the jury trial scheduled to commence August 24, 2015, is vacated and continued without date, pending further order;

3. That all subpoenas issued in connection with the trial of this case are quashed;

4. That all other pending motions to quash are denied as moot; and

5. That this matter is stayed, pending resolution of defendants' appeal of the **Order Concerning Motion for Summary Judgment** [#175], filed August 18, 2015.

Dated August 21, 2015, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge