

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 14-cv-02283-RPM

RILEY HALE and
KRISTIN HALE,

Plaintiffs,

v.

USAA CASUALTY INSURANCE COMPANY,

Defendant.

ORDER DENYING PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT
AND FOR SETTING SCHEDULING CONFERENCE

At the scheduling conference held on October 15, 2014, the parties discussed the appraisal award made in this case. As a result of that discussion, the Court considered the appraisal award to be analogous to an arbitration award and its enforcement would negate the claims for bad faith and violation of C.R.S. § 10-3-1115 and § 10-3-1116. The plaintiffs filed a motion for partial summary judgment on November 14, 2014, [Doc. 17], seeking enforcement of the appraisal but continuing to make the claims for bad faith and statutory violations. The plaintiffs also filed a motion to quash and for protective order on November 5, 2014, seeking to prevent the deposition of David Manville concerning the appraisal decision-making process [Doc. 16]. The defendant filed its response to the motion to quash and for protective order on December 1, 2014, [Doc. 19], and a motion to strike plaintiffs' partial motion for summary judgment, [Doc. 18]. The defendant also filed a motion for extension of time to respond to the motion for partial summary judgment [20]. It is now

ORDERED that the plaintiffs' motion for partial summary judgment is denied. A scheduling conference will be convened and the question of discovery of the umpire and the appraisal process will be discussed at that time.

Dated: December 8th, 2014

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge