

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

Civil Action No. 14-cv-02522-RPM

SECURITY NATIONAL INSURANCE COMPANY,

Plaintiff,

v.

CHARLES MOORE DBA MOORE CONSTRUCTION,

Defendant.

STAY ORDER

In this civil action the plaintiff Security National Insurance Company seeks a declaratory judgment asking this Court to affirm its decision to rescind the general liability insurance policy issued to Charles Moore, DBA Moore Construction because of alleged misrepresentations of fact in his application for the policy. It joined Willow Park Apts, LLC, as a defendant because of a claim it submitted as a result of Moore's faulty roofing work.

Moore is in default and the plaintiff moved for a default judgment and Willow Park Apts, LLC, was dismissed from this case by this Court's *sua sponte* order on August 10, 2015, for lack of standing to contest the plaintiff's claim against Moore. At that time Moore's whereabouts were unknown to counsel. Moore has now been found and Willow Park sued him for damages in the District Court, El Paso County, where that case is now at issue.

Because it would be unjust to determine the issue by default proceedings, depriving Willow Park of any opportunity to benefit from coverage, and in anticipation that Moore may seek relief from his default in this case, it is

ORDERED that further proceedings on the plaintiff's motion for default judgment are stayed until further order of court.

Dated: November 4th, 2015

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge