

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-02680-RPM

SHANE WHITTLE, INDIVIDUALLY AND DERIVATIVELY ON BEHALF OF
MARLEY COFFEE LLC,

Plaintiffs,

v.

ROHAN MARLEY,
CEDELLA MARLEY,
JAMMIN' JAVA CORPORATION,
HOPE ROAD MERCHANDISING, LLC,
FIFTY-SIX HOPE ROAD MUSIC LIMITED,
MARLEY COFFEE ESTATE LIMITED,

Defendants.

ORDER FOR HEARING

Considering the briefing on the defendants' motions to dismiss under Fed.R.Civ.P. 12(b)(6), a hearing will be scheduled for oral argument on the following issues:

1. What matters outside the complaint may be considered as a result of the attachments to the motions and the defendants' request for judicial notice?
2. Whether the plaintiff may proceed on claims derivatively on behalf of Marley Coffee, LLC?
3. What is the current legal status of Marley Coffee LLC?
4. Does the plaintiff have any cognizable interest in the Marley Coffee trademarks?

5. What is the relationship between this case and *Whittle v. Jarmmin' Java Corp.* in the Denver District Court?

6. What is the applicability of the economic loss rule?

These issues will be addressed at a hearing to be scheduled upon a date to be set after consultation with counsel by this Court's secretary.

SO ORDERED.

Dated: June 15, 2015.

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge