

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 15-cv-00278-CMA-KLM

ERIC C. JONES,

Plaintiff,

v.

ESURANCE INSURANCE COMPANY,

Defendant.

**ORDER DENYING AS MOOT DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
(DOC. # 24)**

On October 27, 2015, Defendant filed a motion for summary judgment. (Doc. # 24.) Several weeks after that motion was filed, and before it was decided, the parties filed a stipulation regarding issues and claims for trial, in which the parties stated that the stipulation “resolves the issues in Defendant’s Motion for Summary Judgment (ECF No. 24) and makes the motion moot.” (Doc. # 25.) The Court expresses its appreciation to the parties for saving the Court time and resources by resolving among themselves the issues underlying Defendant’s motion for summary judgment and notifying the Court in a timely manner of such resolution.

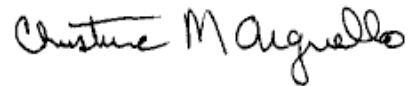
Based on the parties’ stipulation, it is hereby ORDERED that Defendant’s motion for summary judgment (Doc. # 24) is DENIED AS MOOT.

It is FURTHER ORDERED that on or before December 14, 2015, the parties will provide the Court with a proposed briefing schedule regarding the following issue:

whether Defendant is entitled to either (1) a set-off of damages based on Plaintiff's recovery of workers' compensation benefits or (2) introduce evidence of such recovery into evidence.

DATED: November 19, 2015

BY THE COURT:

A handwritten signature in black ink that reads "Christine M. Arguello". The signature is written in a cursive style with a horizontal line underneath the name.

CHRISTINE M. ARGUELLO
United States District Judge