

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Marcia S. Krieger

Civil Action No. 15-cv-00350-MSK-MJW

NEW VISION HOTELS TWO, LLC,

Plaintiff,

v.

MEDICAL MARIJUANA OF THE ROCKIES, LLC;
GERALD JAY OLSON;
DAVID KATZ;
JOHN DOE 1;
BANK OF THE WEST;
MERCHANTS BONDING CO.;
ACCOUNTING SPECIALISTS, INC.; and
MICHAEL MASSA,

Defendants.

ORDER DIRECTING REFILING

THIS MATTER comes before the Court on the filing of a Notice of Voluntary Dismissal of Case (Notice) (**#99**) filed November 19, 2015. Having reviewed the Notice, the Court,

FINDS that:

1. The Notice seeks to voluntarily dismiss claims against remaining defendants in this action, but does not specify those claims or parties.
2. In the interests of efficiency and economy, it is necessary to identify the parties and claims remaining and to ascertain the effect the proposed dismissal will have upon the trial.

IT IS THEREFORE ORDERED that the Plaintiff is referred to Fed.R.Civ.P. 41 and shall **refile within 10 days** a pleading which complies with Rule 41. Such newly filed pleading shall:

1. Use the complete caption of the case, including the names of all parties to the action;
2. Identify all parties to be dismissed and the parties remaining;
3. Identify all claims to be dismissed and all claims that will remain. The claims shall be identified by the title given that claim in the original pleadings;
4. Identify all pending motions that are resolved by the dismissal and all pending motions that remain. Pending motions shall be identified by the docket entry number assigned by the Clerk of the District Court;
5. State, briefly, the anticipated impact of the dismissal on the time required for trial and any other trial efficiencies.
6. If the newly filed pleading contains the signatures of all counsel and *pro se* parties, it will be treated as an unopposed motion and the order will be issued promptly. If, however, the pleading does not contain the signature of all counsel and *pro se* parties, it shall be served on same and no Order shall be entered until the time for objection has passed.

DATED this 8th day of December, 2015.

BY THE COURT:

A handwritten signature in black ink, reading "Marcia S. Krieger". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Marcia S. Krieger
United States District Court