

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 15-cv-00494-PAB-NYW

JDK LLC, a Colorado limited liability company,
DEBORAH KOLASSA,
JERRY KOLASSA, and
S. MARK SPOONE,

Plaintiffs,

v.

PAUL A. TALBOT,
FRANK O. HOFMEISTER,
MAX 1 FINANCIAL LLC, a Colorado limited liability company, and
BROOKE TALBOT,

Defendants.

ORDER

This matter is before the Court on plaintiffs' Motion to Strike/Withdraw Amended Consent Motion for Administrative Closure [Docket No. 115]. Plaintiffs seek to strike or withdraw the Second Amended Consent Motion for Administrative Closure [Docket No. 113], which was filed jointly by plaintiffs and defendants. Although, as plaintiffs note, the Court did not grant the motion for administrative closure, the motion nevertheless required plaintiffs to move to re-open this case by March 10, 2016 or waive any right to litigate any claims against defendants. Plaintiffs have filed a timely request to withdraw, which the Court will grant.

Plaintiffs also ask the Court to extend the discovery period to March 28, 2016 with any additional discovery limited to depositions. Docket No. 115 at 2, ¶ 3(a). To the

extent that plaintiffs seek modification of the scheduling order, which set a discovery cut-off date of January 8, 2016, see Docket No. 65 at 7, plaintiffs must do so by filing a motion pursuant to Fed. R. Civ. P. 16(b)(4) and demonstrating that good cause exists for the modification. The instant motion makes no showing of good cause.

Additionally, plaintiffs are reminded that the local rules of this district require them to confer with opposing counsel before filing a motion and to describe their “specific efforts to fulfill this duty.” D.C.COLO.LCivR 7.1(a).

Accordingly, it is

ORDERED that plaintiffs JDK LLC, Deborah Kolassa, Jerry Kolassa, and S. Mark Spooone’s Motion to Strike/Withdraw Amended Consent Motion for Administrative Closure [Docket No. 115] is **GRANTED** in part. It is further

ORDERED that the parties’ Second Amended Consent Motion for Administrative Closure [Docket No. 113] is **DENIED** as moot.

DATED March 14, 2016.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge