

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 15-cv-01420-MSK-NYW

COLORADO INSURANCE GUARANTY ASSOCIATION,

Plaintiff,

v.

UNITED ARTISTS THEATRE CIRCUIT, INC.,

Defendant.

MINUTE ORDER

Entered By Magistrate Judge Nina Y. Wang

This civil action is before the court on the following motions:

1. Motion to Dismiss for Failure to State a Claim (“Motion to Dismiss”) [#9, filed July 13, 2015];
2. Motion to Amend Notice of Removal *Nunc Pro Tunc* (“Motion to Amend”) [#11, filed July 24, 2015];
3. Motion for Stay of All Proceedings Pending Determination of Jurisdiction (“Motion to Stay”) [#13, filed August 3, 2015]
4. Joint Motion to Vacate Order (“Motion to Vacate”) [#14, filed August 5, 2015]; and
5. First Motion to Remand (“Motion to Remand”) [#17, filed August 7, 2015].

These matters were referred to Magistrate Judge Nina Y. Wang pursuant to the Order Referring Case [#24] and memoranda dated August 17 and 19, 2015 [#25-#28, #30].

On August 11, 2015, this court vacated the August 18, 2015 Scheduling Conference *sua sponte* following the Parties’ indication that they declined to consent to the jurisdiction of a United States magistrate judge. [#18, #20]. The action was then reassigned to Chief Judge Krieger. [#23]. This court subsequently became aware that Docket Entry [#13] had been improperly docketed as a “Response to Motion to Dismiss for Failure to State a Claim,” when the filing was in fact a Motion for Stay. [See #13]. Upon direction from this court, the Clerk of the Court converted the Response into a Motion, which Judge Krieger then referred to Magistrate Judge Wang by memorandum dated August 19, 2015. [#30]¹

¹ Counsel are instructed that it is incumbent on them to file papers with the proper designation, and to seek amendment where a filing is made in error.

IT IS ORDERED:

1. A joint Status Conference and Motion Hearing on the Motion to Amend [#11] and Motion to Remand [#17] is set for **September 4, 2015 at 2:00 p.m.** in Courtroom C-204, 2d Floor, Byron G. Rogers United States Courthouse, 1929 Stout Street, Denver, Colorado;
2. Any response to the Motion to Amend [#11] is due no later than **August 21, 2015** and any reply to the Motion to Amend must be filed no later than **September 2, 2015**;
3. Any response to the Motion to Remand must be filed no later than **August 28, 2015** and any reply to the Motion to Remand [#17] must be filed no later than **September 2, 2015**;
4. The Motion to Vacate [#14] is **DENIED AS MOOT**; and
5. The Motion to Stay [#13] is **GRANTED IN PART** to the extent that Plaintiff's deadline for filing a Response to the Motion to Dismiss is stayed pending the Status Conference.

DATED: August 19, 2015