

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-02162-RPM

MJA, Inc., dba PRIMETIME SPORTS BAR,

Plaintiff,

v.

WESTERN WORLD INSURANCE COMPANY,

Defendants.

ORDER FOR ADDITIONAL BRIEFING

The Colorado Supreme Court having denied the Certification of Question of Law it now becomes necessary for this Court to decide that question under Colorado law. The defendant's Reply in Support of Motion to Dismiss [Doc. 12] argues that because the policy at issue is a surplus lines policy, it is exempt from the policy expressed in C.R.S. § 10-1-101 and Colorado common law. The defendant filed an unopposed motion to file a sur-reply brief to address that argument. [Doc. 33]. That motion is granted. The Motion to Strike Affidavit of Thomas L. Roberts [Doc. 13] is also granted and will not be considered in this Court's ruling. It is now

ORDERED, that the defendant shall have to and including April 12, 2016, within which to file a sur-reply brief addressing the arguments made in the plaintiff's reply and the plaintiff may file a rebuttal brief on or before May 2, 2016.

The affidavit of Thomas L. Roberts is stricken.

DATED: March 25, 2016

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge