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FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

APR - 1 2005

GREGORY C. LANGHAM
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Case No. 04-RB-994 (MJW)

ENOCH LEVI SAMORA, JR.,

Plaintiff,

v.

WILLIAM FYFE, et al.

Defendants

STIPULATED MOTION TO CLARIFY ORDER

COME NOW, each of the parties through their respective counsel or pro se, and they by this stipulated Motion hereby request the court to modify the Minute Order recently issued herein. In support of this Motion, the parties offer the following:

1. This matter has been held in abeyance pending the outcome of the Court's ruling on Defendant's jurisdictional motions to dismiss this action from federal court.
2. Upon granting the motion to hold discovery and defense of the suit in abeyance, the Court left in place what was originally the Pretrial Conference, scheduled on June 30, 2005.
3. However, the Court converted the Final Pretrial Conference into a Status Conference so that the parties could re-set discovery deadlines and other trial matters once the motions were ruled upon.
4. In its last Minute Order the Court re-scheduled the June 30, 2005 status conference

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to July 13, 2005.

5. Said Order also required the parties to file their Final Pretrial Order by July 7, 2005. Yet, since this will not be a Final Pretrial Conference, no Final Pretrial Order would be required to be filed.
6. This Motion is made to clarify the Minute Order so that the record is clear as to the parties' obligations at this time while the matter is held in abeyance pending jurisdictional dismissal motions.

WHEREFORE, the parties respectfully request the Court to approve this motion that clarifies that the parties are not required to file a Final Pre-trial Order on July 7, 2005.

Respectfully submitted this ____ day of March, 2005.

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