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COLORADO COURT OF APPEALS  
No. 06CA0299

**ORDER**  
Tr. Ct. No. 99DR2441

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In re the Marriage of  
Bryan Spofford,

Petitioner-Appellant,

and

Lisa Spofford,

Respondent-Appellee.

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TO THE PARTIES AND THE DISTRICT COURT:

Upon consideration of the motion to dismiss, the Court DENIES the motion. Since a second award of attorney fees for filing the motion for review would be a separate award of attorney fees, it does not appear that it would prevent the district court's affirmation of the magistrate's order from being final for purposes of appeal.

See Dawes Agency v. American Property Mortgage, Inc., 804 P.2d 255 (Colo. App. 1990).

However, it further appears that judicial economy would be served by having both awards of attorney fees considered in one appeal. Therefore, upon its own motion, the Court REMANDS the

matter to the district court for limited purpose of hearing and reducing its award of attorney fees to a sum certain.

After the matter has been resolved, appellant shall immediately forward a copy of the district court's order to this court, and the case shall be recertified. Appellant may file a motion to amend the notice of appeal and to supplement the designation of record within 14 days after notice from this Court that the matter has been recertified. The Court further ORDERS that the record is now due 30 days from the date the matter is recertified or May 11, 2006, whichever is later.

The court FURTHER ORDERS that appellant shall notify this court in writing of the status of the district court proceedings in the event that this matter is not concluded within 30 days from this date, and that appellant shall do so every 30 days thereafter until the district court rules on the matter.

BY THE COURT:

Dailey, J.  
Graham, J.  
Carporelli, J.

Dated: *March 30, 2006*  
Copies to: Counsel of Record  
Clerk of the District Court  
The Honorable J. Tidball

COPIES MAILED TO	
J. COUNSEL OF RECORD	
(Tri. Ct. Judge) (Tri. Ct. Clerk)	
AND	<i>PRSC</i> pb/3j
ON	<i>3/30/06</i>
BY	<i>ACF</i>
COLORADO COURT OF APPEALS	