IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn

Civil Action No. 13-cv-01735-REB

PHILIP W. WYERS, individually,

Plaintiff,

v.

CEQUENT PERFORMANCE PRODUCTS, INC.,

Defendant.

ORDER

Blackburn, J.

The matter is before me on **Cequent's Motion To Stay Discovery Pending Resolution of its Rule 12(b)(1) Motion in a Related Case** [#11][1] filed August 29, 2013. I deny the motion as moot.

In the related case, 12-cv-02640-REB, the court entered its **Order Granting Motion To Amend Caption & Denying Motion To Dismiss** [#60] on September 17, 2013. In that order **Cequent's Motion To Dismiss Under Rule 12(b)(1)** [#23] filed January 29, 2013, was denied. Thus, the subject motion to dismiss in the related case has been resolved. Accordingly, the pendency of that motion may not serve as a basis to stay discovery in this case.

THEREFORE, IT IS ORDERED that **Cequent's Motion To Stay Discovery**

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[1] "[#11]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.

Pending Resolution of its Rule 12(b)(1) Motion in a Related Case [#11] filed August 29, 2013, is **DENIED** as moot.

Dated September 23, 2013, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge