IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Christine M. Arguello

Civil Action No. 21-cv-01152-CMA-NRN

ANDREW DOSA KIM,

Plaintiff,

v.

CHLOE KETTELL,
PARTHA RAY,
MICHAEL SHULL, and
POLYPORT, INC.,

Defendants.

ORDER

This matter is before the Court *sua sponte*. On March 29, 2023, the Court ordered both parties to submit simultaneous supplemental briefing regarding which states' laws pertained to the state law claims at issue in their cross motions for summary judgment. (Doc. # 87.) In that Order, the Court stated that in their supplemental briefs, the parties should "make their arguments—pursuant to [the states' laws they had deemed applicable to each claim]—as to why summary judgment should be granted as to that individual claim." (*Id.* at 2.) On April 12, 2023, the parties submitted a Joint Supplemental Brief Regarding Choice of Law in which they stated they were "in agreement that Delaware law should apply." (Doc. # 89.) However, the parties did not go on to apply Delaware law to each of their state law claims. Rather,

they noted that "[s]hould the Court request supplemental briefing related to the application of Delaware law to the claims and defenses in this matter, the Parties are prepared to do so." (*Id.* at 3.)

That same day, the parties jointly requested the Court stay all deadlines until May 29, 2023. (Doc. # 88.) The Court granted that stay on April 14, 2023, and required the parties to file two joint status reports during the stay. (Doc. # 90.) The second Joint Status Report states that the parties "seek to conduct mediation by the second week of August 2023." (Doc. # 92.)

The stay deadline granted by the Court has now expired. (Doc. # 90.) Thus, the Court will again order the parties to submit simultaneous Supplemental Briefing applying the stipulated-to Delaware law to all the state law claims at issue in their cross motions for summary judgment.

Briefs are due on or before June 19, 2023, and shall not exceed 10 pages in length. Both parties will then have until and including July 3, 2023, to file Responses.

DATED: June 5, 2023

BY THE COURT:

CHRISTINE M. ARGUELLO
Senior United States District Judge