



Direct Marketing Association, The v. Huber

2013 | Cited 0 times | D. Colorado | April 4, 2013

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLORADO

Judge Robert E. Blackburn Civil Case No. 10-cv-01546-REB-CBS THE DIRECT MARKETING ASSOCIATION,

Plaintiff, v. BARBARA BROHL, in her capacity as Executive Director, Colorado Department of Revenue,

Defendant.

ORDER OF ADMINISTRATIVE CLOSURE Blackburn, J.

The matter is before the court sua sponte. On March 30, 2012, I entered an order [#105] granting the plaintiff's motion for summary judgment concerning two of the plaintiff's claims for relief, asserting violations of the Commerce Clause of the Constitution of the United States. Concurrently, I entered an order permanently enjoining and restraining the enforcement of the state statute and regulations at issue in this case. The defendant filed a notice of appeal, and the appeal remains pending.

Given these circumstances, I conclude that this action should be closed administratively, pending resolution of the defendant's appeal.

THEREFORE, IT IS ORDERED as follows: 1. That under D.C.COLO.LCivR 41.2, this action is CLOSED ADMINISTRATIVELY; and

2. That under D.C.COLO.LCivR 41.2, the clerk is DIRECTED to close this civil action administratively, subject to reopening for good cause.

Dated April 4, 2013, at Denver, Colorado.

BY THE COURT:

