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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:13-cv-02394-WYD-MEH

MALIBU MEDIA, LLC,

Plaintiff,

v.

JEREMIAH BENSON,

Defendant.

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**PLAINTIFF'S STATUS REPORT PURSUANT TO THE COURT'S MINUTE ORDER  
OF AUGUST 27, 2014 [CM/ECF 57]**

Plaintiff, Malibu Media, LLC ("Plaintiff"), hereby submits its status report pursuant to the Court's minute order of August 27, 2014 (CM/ECF 57). Following the August 6, 2014 proceeding, e-mails were exchanged between defense counsel and undersigned. Plaintiff ceased communicating with Defendant in early August because it did not want to be complicit in opposing counsel's continuing to represent Defendant despite his conflict.

Plaintiff intends to file a motion to disqualify defense counsel imminently. Plaintiff also intends to file a motion for sanctions against both Defendant and his counsel for their joint effort to extort a settlement out of Plaintiff by combining a serious threat of physical violence with an offer to settle the litigation. Because of these Motions, Plaintiff respectfully requests this Court maintain the stay of the proceedings. Plaintiff respectfully suggests that doing so is the proper course because: (1) the case will be better positioned for early resolution without the necessity of trial following the entry of this Court's order on the motion for sanctions; (2) assuming the Court grants Plaintiff's

Motion to Disqualify, Defendant will need time to obtain new counsel; and (3) if Defendant chooses to proceed *pro se*, Plaintiff anticipates moving for entry of a protective order implementing procedures to ensure undersigned's safety going forward prior to continuing with the case.

Dated: September 3, 2014

Respectfully submitted,

By: /s/ Jason Kotzker

Jason Kotzker

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*Attorney for Plaintiff*

#### **CERTIFICATE OF SERVICE**

I hereby certify that on September 3, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system. In addition, a true and correct copy of the foregoing was served, via U.S. Mail, on the following service list.

Jeremiah Benson  
10175 Park Meadows Drive  
Apt 348  
Lone Tree, CO 80124

By: /s/ Jason Kotzker

Jason Kotzker