

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 11-cv-02887-PAB-KMT

U.S. COMMODITY FUTURES TRADING COMMISSION,

Plaintiff,

v.

NICHOLAS TRIMBLE,
CAPSTONE QUANTITATIVE ANALYSIS, INC., and
BEEKEEPERS FUND CAPITAL MANAGEMENT, LLC,

Defendants.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA

The “Motion to Intervene of James Harvey” (Doc. No. 35, filed March 19, 2012) is DENIED without prejudice for failure to comply with Fed. R. Civ. P. 24(c). This Rule gives the court a basis for determining what interests the potential intervenor seeks to protect, whether such interests are impeded, and whether such interests are already adequately represented by the parties. *Miami County Nat. Bank of Paola, Kan. v. Bancroft*, 121 F.2d 921, 926 (10th Cir. 1941) (affirming denial of intervention where no pleading was filed with the application, as required by Rule 24(c).). *See Sears Roebuck and Co. v. IPofA Salina Central Mall, LLC*, 2009 WL 1664614 (D. Kan.2009) (“Failing to attach such a pleading complicates the court’s task of evaluating the movant’s legal position. Therefore, the court could properly deny the instant motion on procedural grounds.”)

Dated: June 20, 2012