

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT  
OFFICE OF THE CLERK**

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303) 844-3157

Elisabeth A. Shumaker  
Clerk of Court

February 26, 2013

Douglas E. Cressler  
Chief Deputy Clerk

Mr. Laurence W. DeMuth III  
Faegre Baker Daniels  
1470 Walnut Street, Suite 300  
Boulder, CO 80302-5335

Mr. Stephen Harkess  
Mr. Eric Martin Herr  
Harkess Salter & Stein  
2109 South Wadsworth Boulevard  
Suite 202  
Lakewood, CO 80227

Mrs. Jennifer K. Harrison  
Faegre Baker Daniels  
3200 Wells Fargo Center  
1700 Lincoln Street  
Denver, CO 80203-4532

**RE: 11-1374, 11-1393, Stewart Title v. Dude, et al**  
Dist/Ag docket: 1:07-CV-02299-RPM

Dear Counsel:

Enclosed is a copy of the opinion of the court issued today in this matter. The court has entered judgment on the docket pursuant to Fed. R. App. P. Rule 36.

Pursuant to Fed. R. App. P. Rule 40, any petition for rehearing must be filed within 14 days after entry of judgment. Please note, however, that if the appeal is a civil case in which the United States or its officer or agency is a party, any petition for rehearing must be filed within 45 days after entry of judgment. Parties should consult both the Federal Rules and local rules of this court with regard to applicable standards and requirements. In particular, petitions for rehearing may not exceed 15 pages in length, and no answer is permitted unless the court enters an order requiring a response. If requesting rehearing en banc, the requesting party must file 18 paper copies with the clerk, in addition to

satisfying all Electronic Case Filing requirements. *See* Fed. R. App. P. Rules 35 and 40, and 10th Cir. R. 35 and 40 for further information governing petitions for rehearing.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", with a long horizontal flourish extending to the right.

Elisabeth A. Shumaker  
Clerk of the Court

cc: David A. Bovino  
Kenneth L. Levinson

EAS/kf