

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

Civil Action No. 05-cv-00026-CMA-KLM

PLATT T. HUBBELL, and  
KELLEY S. HUBBELL,

Third-Party Plaintiffs,

v.

CARNEY BROTHERS CONSTRUCTION, a Colorado corporation,  
IAN CARNEY,  
RICHARD CARNEY,  
TEAMCORP, INC. d/b/a DRAFT TEK, a Colorado corporation,  
T.J. CONCRETE CONSTRUCTION, INC., a Colorado corporation, and  
KERRY M. KARNAN,

Third-Party Defendants.

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**ORDER REGARDING MOTION TO AMEND JUDGMENT**

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This matter is before the Court on Plaintiffs' Unopposed Motion to Amend Judgment (Doc. # 578). Upon review of the motion and the underlying documents relating to the motion, the Motion is GRANTED. The Court hereby

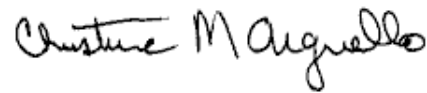
ORDERS that the Clerk's Office amend the Judgment (Doc. # 568) to conform to the Court's order for entry of judgment (Doc. # 467) as follows:

The last paragraph at the bottom of page 2, running from page 2 to page 3 of the Judgment, and beginning "FURTHER ORDERED that all of . . .," shall be deleted and the following language shall be substituted:

FURTHER ORDERED that the First and Second Claims for Relief (for Negligence and Negligent Misrepresentation) brought by Third-Party Plaintiffs Platt T. Hubbell and Kelley S. Hogan against the Third-Party Defendants Carney Brothers Construction, Ian Carney, and Richard Carney are merged into this Judgment and accordingly are deemed to be DISMISSED WITH PREJUDICE. All remaining claims for relief brought by Third-Party Plaintiffs Platt T. Hubbell and Kelley S. Hogan against the Third-Party Defendants Carney Brothers Construction, Ian Carney, and Richard Carney are DISMISSED WITHOUT PREJUDICE.

DATED: November 01, 2010

BY THE COURT:



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CHRISTINE M. ARGUELLO  
United States District Judge