

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Philip A. Brimmer**

Civil Action No. 07-cv-00600-PAB

TRINITY UNIVERSAL INSURANCE COMPANY OF KANSAS, INC.,

Plaintiff,

v.

D.R. HORTON, INC. DENVER, et al.,

Defendants.

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**ORDER OF DISMISSAL WITH PREJUDICE**

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THIS MATTER comes before the Court upon the Stipulated Motion for Order of Dismissal of All Claims of All Parties With Prejudice and for an Order to the Clerk to Distribute Funds from the Registry [Docket No. 807]. The Court has reviewed the pleading and is fully advised in the premises. It is

**ORDERED** that the Stipulated Motion for Order of Dismissal of All Claims of All Parties With Prejudice and for an Order to the Clerk to Distribute Funds from the Registry [Docket No. 807] is granted. It is further

**ORDERED** that, pursuant to Fed. R. Civ. P. 41(a), this matter, and all claims asserted therein, is dismissed with prejudice, with each party to bear its own attorneys' fees and costs. It is further

**ORDERED** that all pending motions are DENIED as moot. It is further

**ORDERED** that, after payment of the Special Master's final invoice, the Clerk of the Court shall refund the principal balance and accrued interest on the funds held in

the Registry of the Court, less the registry fee assessment, to the parties, *pro rata* by their contributions.

DATED September 25, 2009.

BY THE COURT:

s/Philip A. Brimmer \_\_\_\_\_  
PHILIP A. BRIMMER  
United States District Judge