

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 07-cv-00673-REB-CBS

UNITED CONSTRUCTION PRODUCTS, INC.,

Plaintiff,

v.

ETERNO IVACA s.r.l., and  
MARATHON ROOFING PROUDCTS, INC.,

Defendants.

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**ORDER OF DISMISSAL**

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**Blackburn, J.**


The matter before me is the **Stipulation of Dismissal Without Prejudice** [#72] filed June 1, 2009. After reviewing the stipulation and the file, I conclude that the stipulation should be approved and that this action should be dismissed without prejudice.

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Stipulation of Dismissal Without Prejudice** [#72] filed June 1, 2009, is **APPROVED**;
2. That the Trial Preparation Conference set for October 2, 2009, is **VACATED**;
3. That the jury trial set to commence October 19, 2009, is **VACATED**; and
4. That this action is **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs.

Dated June 2, 2009, at Denver, Colorado.

BY THE COURT:

  
Robert E. Blackburn  
United States District Judge