

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No.: 07-cv-01039-WYD-BNB

HILDEGARD B. HERRIAGE,

Plaintiff,

v.

TIMOTHY A. DUNN, D.O.; and  
SPECTRUM HEALTHCARE RESOURCES, INC., a Delaware Corporation,

Defendants.

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**ORDER OF DISMISSAL OF DEFENDANT TIMOTHY A. DUNN, D.O.  
PURSUANT TO F.R.C.P. 12(b)(1)**

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THIS MATTER comes before the Court on Defendant Timothy A. Dunn, D.O.'s Unopposed Motion to Dismiss Pursuant to F.R.C.P. 12(b)(1) [# 3], filed May 30, 2007. After carefully reviewing the file in this matter and being fully advised in the premises, I find that this unopposed motion should be granted. Accordingly, it is

ORDERED that Defendant Timothy A. Dunn, D.O.'s Unopposed Motion to Dismiss Pursuant to F.R.C.P. 12(b)(1) [# 3] is **GRANTED**. It is

FURTHER ORDERED that Plaintiff's Complaint is **DISMISSED** against Defendant Timothy A. Dunn, D.O. on the basis that the Court lacks subject matter jurisdiction due to the lack of complete diversity amongst the parties.

Dated: June 1, 2007

BY THE COURT:

s/ Wiley Y. Daniel

Wiley Y. Daniel  
U. S. District Judge