

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Chief Judge Wiley Y. Daniel**

Civil Action No. 07-cv-01723-WYD-CBS

LARIVIERE, GRUBMAN & PAYNE, LLP, a California limited liability partnership,  
Plaintiff,

v.

EDWARD H. PHILLIPS, an individual;  
Defendant.

and

EDWARD H. PHILLIPS,  
Counterclaimant

v.

LARIVIERE, GRUBMAN & PAYNE, LLP, a California limited liability partnership,  
Counterclaim Defendant.

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**ORDER**

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THIS MATTER comes before the Court on Plaintiff/Counterclaim Defendant LaRiviere, Grubman & Payne, LLP's Motion for Entry of Judgment on Defendant Edward H. Phillips' Confession of Judgment and the Joint Motion For Dismissal Of Counterclaims And Certain Claims With Prejudice filed by Plaintiff / Counterclaim Defendant LaRiviere, Grubman & Payne, LLP, and by Defendant / Counterclaimant Edward H. Phillips. The Court, having reviewed the motions and being otherwise advised in the premises,

ORDERS that Plaintiff/Counterclaim Defendant LaRiviere, Grubman & Payne, LLP's Motion for Entry of Judgment on Defendant Edward H. Phillips' Confession of Judgment filed May 19, 2011 (ECF No. 490) is **GRANTED**. In accordance therewith, the Clerk of Court shall **ENTER JUDGMENT** in favor of Plaintiff LaRiviere, Grubman & Payne LLP against Defendant Edward H. Phillips on Plaintiff's claims for legal fees and costs in the amount of **\$1,072,227.00**, pursuant to the terms of the Confession of Judgment filed on May 18, 2011 (ECF No. 489). It is

FURTHER ORDERED that the Joint Motion For Dismissal Of Counterclaims And Certain Claims With Prejudice filed May 19, 2011 (ECF No. 491) is **GRANTED**. In accordance therewith, all of Phillips' counterclaims against LGP that were asserted in this Civil Action and all of LGP's claims against Phillips that were asserted in this Civil Action, other than the claims for legal fees and costs that are the subject of the confessed judgment in LGP's favor against Phillips, are **DISMISSED WITH PREJUDICE**. It is

FURTHER ORDERED that each party shall pay his or its own costs and fees incurred in this Civil Action. Finally, it is

ORDERED that this Civil Action shall remain open only in order to resolve the distribution of the funds held in the Registry of the Court for this Civil Action in accordance with the Confession of Judgment filed on May 18, 2011. After the distribution of funds has been completed, this case shall be terminated as all claims have been resolved.

Dated: May 20, 2011.

BY THE COURT:

s/ Wiley Y. Daniel  
WILEY Y. DANIEL,  
CHIEF UNITED STATES DISTRICT JUDGE