

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

Civil Action No. 08-cv-00248-REB-MEH
(Consolidated with Civil Action No. 08-cv-00359-REB-MEH)

WHITE RIVER VILLAGE, LLP,

Plaintiff,

v.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a Maryland corporation,

Defendant/Third-Party Plaintiff,

and

HEPWORTH-PAWLAK GEOTECHNICAL, INC., a Colorado corporation,

v.

JONATHAN REED & ASSOCIATES, INC.,
S&S JOINT VENTURE,
CLASS CONSTRUCTION, INC.,
BELLAVISTA BUILDERS,
COOKEY'S MECHANICAL, INC.,
CRUZAN CONSTRUCTION COMPANY,
G CONSTRUCTION, INC.,
RENTERIA ROOFING,
EC CONSTRUCTION, INC.,
M.M. SKYLINE CONTRACTING, INC., a/k/a Skyline Contracting,
KOJIN CONSTRUCTION, LLC,
B&B PLUMBING, INC., d/b/a B&B Plumbing and Heating,
WILLIAM BERESFORD, d/b/a William Beresford Painting, and
DEKKER/PERICH/SABATINI, LTD,

Third-Party Defendants.

**ORDER OF DISMISSAL AS TO
THIRD-PARTY DEFENDANT COOKEY'S MECHANICAL, INC., ONLY**

Blackburn, J.

The matter is before me on the **Stipulated Motion To Dismiss F&D's Claim**

Against Coockey's Mechanical, Inc. And To Dismiss Coockey's Mechanical, Inc.'s Counterclaims Against F&D [#583]¹ filed December 9, 2013. After reviewing the motion and the record, I conclude that the motion should be granted.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulated Motion To Dismiss F&D's Claim Against Coockey's Mechanical, Inc. And To Dismiss Coockey's Mechanical, Inc.'s Counterclaims Against F&D [#583]** filed December 9, 2013, is **GRANTED**;

2. That the claims of the third-party plaintiff, Fidelity and Deposit Company of Maryland, against third-party defendant, Coockey's Mechanical, Inc., are **DISMISSED WITH PREJUDICE**;

3. That the counterclaims of the third-party defendant, Coockey's Mechanical, Inc., against the third-party plaintiff, Fidelity and Deposit Company of Maryland, are **DISMISSED WITH PREJUDICE**;

4. That this stipulation does not involve any admission of liability or fault by Fidelity and Deposit Company of Maryland or Coockey's Mechanical, Inc.; and

5. That third-party defendant, Coockey's Mechanical, Inc. is **DROPPED** as a named party to this action, and the case caption is amended accordingly.

Dated December 10, 2013, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge

¹ “[#583]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.