

**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,  
WHITE RIVER TOWNHOMES, LLC,

Plaintiffs,

v.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a Maryland corporation,

Defendant/Third-Party Plaintiff,

and

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

Consolidated Defendant,

v.

JONATHAN REED & ASSOCIATES, INC.,  
S&S JOINT VENTURE,  
CLASS CONSTRUCTION, INC.,  
BELLAVISTA BUILDERS,  
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.

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**MINUTE ORDER<sup>1</sup>**

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<sup>1</sup> This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.

The matter is before the court on the **Fidelity and Deposit Company of Maryland's Revised Motion for Leave to File Amended Counterclaims and Amended Third-Party Complaint Against White River and Dekker/Perich/Sabatini, Ltd. [#571]** filed December 2, 2013, and the **Unopposed Motion for Leave to Supplement [#571] [#595]** filed December 18, 2013. After reviewing the motions and the record, the court has concluded that the motions should be granted.

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

1. That the **Fidelity and Deposit Company of Maryland's Revised Motion for Leave to File Amended Counterclaims and Amended Third-Party Complaint Against White River and Dekker/Perich/Sabatini, Ltd. [#571]** is **GRANTED**;

2. That the proposed **Fidelity and Deposit Company of Maryland's Answer To Plaintiffs' Amended Complaint, Amended Counterclaim, and A mended Third-Party Complaint [#571-1 through 571-5]** is accepted for filing as of December 23, 2013;

3. That the **Unopposed Motion for Leave to Supplement [#571] [#595]** filed December 18, 2013, is **GRANTED**; and

4. That the Exhibit 1 [#595-1] is accepted for filing as a supplement to Fidelity and Deposit Company of Maryland's motion for leave to amend [#571] filed December 2, 2013.

Dated: December 23, 2013