

**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-BNB)

WHITE RIVER VILLAGE, LLP and
WHITE RIVER TOWNHOMES, LLC,

Plaintiffs,

v.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND,

Defendant & Third-Party Plaintiff,

v.

CLASS CONSTRUCTION, INC.,
BELLAVISTA BUILDERS,
CRUZAN CONSTRUCTION COMPANY,
RENTERIA ROOFING,
EC CONTRACTORS, LLC,
M.M. SKYLINE CONTRACTING, INC., a/k/a Skyline Contracting, and
JONATHAN REED & ASSOCIATES, INC.,

Third-Party Defendants.

MINUTE ORDER¹

In light of **White River's Notice of Settlement** [#696]² filed September 26, 2014, the following motions are **DENIED** as moot:

- **Fidelity and Deposit Company of Maryland's Motion To Strike White River's Statement of Affirmative Claims and Estimated Damages and Motion To Dismiss Claims of White River Pursuant to F.R.C.P. 26 and**

¹ 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.

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

37 [#495] filed September 11, 2013;

- **Motion For Reconsideration of Order Concerning Motion For Summary Judgment [#525]** filed October 18, 2013;
- **Defendant/Third-Party Plaintiff Fidelity and Deposit Company of Maryland's Rule 56 Motion For Partial Summary Judgment on its Penal Sum Limitation Defense [#551]** filed November 7, 2013; and
- **Defendant/Third-Party Plaintiff Fidelity and Deposit Company of Maryland's Rule 56 Motion For Summary Judgment [#601]** filed December 16, 2013.

IT IS FURTHER ORDERED that the **Recommendation of United States Magistrate Judge [#621]** entered January 30, 2014, is **TERMINATED**.

Dated: September 26, 2014