

**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 and  
WHITE RIVER TOWNHOMES, LLC,

Plaintiffs,

v.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND,

Defendant & Third-Party Plaintiff,

v.

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.

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

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The matters before the court are: (1) the **Motion for Summary Judgment** [#635]<sup>2</sup> of Hepworth-Pawlak Geotechnical, Inc. filed March 26, 2014; and (2) **Third-Party Defendant MM Skyline Contracting, Inc.'s Motion for Summary Judgment Regarding Issue Preclusion** [#704] filed October 29, 2014.

The claims against Hepworth-Pawlak Geotechnical, Inc. were dismissed on September 19, 2015. *Order* [#690]. A stipulation [#710] for dismissal of the claims

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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.

<sup>2</sup> “[#635]” 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.

against M.M. Skyline Contracting is pending and soon will be approved by the court. After reviewing the motions and the record of this case, it is

**ORDERED** as follows:

1. That the **Motion for Summary Judgment** [#635] of Hepworth-Pawlak Geotechnical, Inc. filed March 26, 2014, is denied as moot; and
2. That **Third-Party Defendant MM Skyline Contracting, Inc.'s Motion for Summary Judgment Regarding Issue Preclusion** [#704] filed October 29, 2014, is denied as moot.

Dated: March 12, 2015.