

**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.  
S&S JOINT VENTURE,  
Third-Party Defendant, Counterclaim Plaintiff,

BELLAVISTA BUILDERS,  
CRUZAN CONSTRUCTION COMPANY,  
RENTERIA ROOFING, and  
EC CONTRACTORS, LLC,

Third-Party Defendants,  
JONATHAN REED & ASSOCIATES, INC.,  
Third-Party Defendant, Cross-Claim Defendant.

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**ORDER DISMISSING CLAIMS AGAINST  
FIDELITY & DEPOSIT COMPANY OF MARYLAND**

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**Blackburn, J.**

The matter is before the court on the **Stipulated Motion To Dismiss Fidelity & Deposit Company of Maryland** [#701]<sup>1</sup> filed October 20, 2014. After reviewing the

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<sup>1</sup> “[#701]” 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.

motion and the record, I conclude that the motion should be granted and the claims of White River Village, LLP, White River Townhomes, LLC, and Jonathan Reed and Associates, Inc., asserted against Fidelity & Deposit Company of Maryland should be dismissed with prejudice.

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

1. That the **Stipulated Motion To Dismiss Fidelity & Deposit Company of Maryland** [#701] filed October 20, 2014, is granted;
2. That the claims of White River Village, LLP, White River Townhomes, LLC, and Jonathan Reed and Associates, Inc., asserted against Fidelity & Deposit Company of Maryland are dismissed with prejudice;
3. That the stipulation does not involve any admission of liability or fault by White River Village, LLP, White River Townhomes, LLC, Jonathan Reed and Associates, Inc., or Fidelity and Deposit Company of Maryland; and
4. That White River Village, LLP, White River Townhomes, LLC, Jonathan Reed and Associates, Inc., and Fidelity and Deposit Company of Maryland agree that they will not seek to recover from each other any costs and fees incurred in this matter.

Dated March 12, 2014, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge