

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 08-cv-00273-PAB-KLM

INNOVATIER, INC.,

Plaintiff/Counterclaim Defendant,

v.

CARDXX, INC.,

Defendant/Counterclaimant,

v.

ROBERT SINGLETON,

Counterclaim Defendant.

ORDER

This matter comes before the Court on the Notice of Settlement [Docket No. 390] filed by plaintiff-counterclaim defendant Innovatier, Inc., defendant-counterclaimant CardXX, Inc., and counterclaim defendant Robert Singleton. On June 25, 2012, the parties memorialized the terms of the settlement agreement in open court.

On December 27, 2010, the Court entered summary judgment [Docket No. 240] in favor of Innovatier, Inc. on Count IX of its First Amended Complaint [Docket No. 145]. On the same day, the Court also entered summary judgment [Docket No. 241] in favor of CardXX, Inc. on its First and Second Counterclaims [Docket No. 121]. Additionally, on August 1, 2011 the Court entered partial summary judgment [Docket No. 316] in

favor of CardXX, Inc. on its Fifth Counterclaim [Docket No. 235]. Based on the orders referred to above and in light of the parties' settlement agreement, it is

ORDERED that all other claims in this matter are dismissed with prejudice, with each party to bear its own attorney's fees and costs.

DATED June 26, 2012.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge