

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02077-RPM

VAIL DOVER ASSOCIATES, LLC,

Plaintiff,

v.

THE WEITZ COMPANY, LLC,

Defendant / Third-Party Plaintiff,

v.

AMERICAN CONTRACTORS INDEMNITY COMPANY,
ENCORE ELECTRIC, INC.,
MTECH MECHANICAL TECHNOLOGIES GROUP, INC.

Third-Party Defendants.

and

Civil Action No. 08-cv-02663-RPM

THE WEITZ COMPANY, LLC,

Plaintiff,

v.

VAIL DOVER ASSOCIATES, LLC, and
AMERICAN CONTRACTORS INDEMNITY COMPANY,

Defendants.

ORDER OF DISMISSAL WITH PREJUDICE

Upon consideration of Vail Dover Associates, LLC, The Weitz Company, LLC, and American Contractors Indemnity Company's Stipulated Motion for Dismissal with Prejudice [47], filed on October 2, 2009, it is

ORDERED that Civil Action Nos. 08-cv-02077-RPM and 08-cv-02663-RPM be dismissed, with prejudice, each party to pay its own costs and attorneys' fees.

DATED this 6th day of October, 2009

BY THE COURT

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge