

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior Judge Walker D. Miller

Civil Action No. 08-cv-02195-WDM-KMT

BOARDWALK AT PELICAN BAY CONDOMINIUM ASSOCIATION, et al.,

Plaintiffs,

v.

THE TRAVELERS INDEMNITY COMPANY OF AMERICA,

Defendant.

---

**NOTICE OF DISMISSAL AS TO ONE CLAIM**

---

The court takes judicial notice that the parties have filed a Stipulated Motion to Dismiss Without Prejudice as to the bad faith breach of contract claim in accordance with Fed. R. Civ. P. 41(a)(1). Accordingly, the bad faith breach of contract claim is dismissed without prejudice, each party to pay his or its own costs and attorneys' fees.

DATED at Denver, Colorado, on June 2, 2009.

BY THE COURT:

s/ Walker D. Miller  
United States Senior District Judge