

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 08-cv-02266-RPM

ANDREW WALATER and
MARIAN WALTER,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

ORDER DENYING DEFENDANT'S MOTION TO DISMISS OR TRANSFER

Pursuant to the allegations in the amended complaint, filed January 25, 2009, as permitted by Fed.R.Civ.P. 15(a)(1), it is

ORDERED that the defendant's motion to dismiss or transfer, filed January 9, 2009, is denied.

DATED: January 26th, 2009

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge