

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 08-cv-02361-REB-CBS

UNITED WESTERN BANK f/k/a MATRIX CAPITAL BANK, a federal savings bank, duly chartered and validly existing under the laws of the United States of America,

Plaintiff,

v.

NATIONAL CITY MORTGAGE COMPANY,

Defendant.

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**ORDER OF DISMISSAL**

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**Blackburn, J.**

The matter before me is the **Stipulation For Dismissal With Prejudice** [#61] filed November 12, 2009. After careful review of the stipulation and the file, I conclude that the stipulation should be approved and that this action should be dismissed with prejudice.

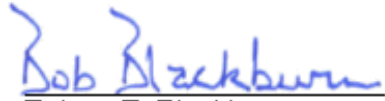
**THEREFORE, IT IS ORDERED** as follows:

1. That the **Stipulation For Dismissal With Prejudice** [#61] filed November 12, 2009, is **APPROVED**;
2. That the Trial Preparation Conference set for December 18, 2009, is **VACATED**;
3. That the jury trial set to commence January 4, 2010, is **VACATED**;
4. That any pending motion is **DENIED** as moot; and

5. That this action is **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs.

Dated November 13, 2009, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn  
United States District Judge