

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

Civil Case No. 08-cv-02632-REB-MEH

GREAT AMERICAN INSURANCE COMPANY,

Plaintiff,

v.

LEXINGTON INSURANCE COMPANY,

Defendant.

---

**ORDER OF DISMISSAL**

---

**Blackburn, J.**

The matter before me is on the **Stipulation For Dismissal With Prejudice** [#96] filed August 20, 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** [#96] filed August 20, 2009, is **APPROVED**;
2. That the Trial Preparation Conference set for February 19, 2010, is **VACATED**;
3. That the trial to the court set to commence February 22, 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 August 20, 2009, at Denver, Colorado.

BY THE COURT:

  
Robert E. Blackburn  
United States District Judge