

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 09-cv-00088-PAB-CBS

In re: CENTRIX FINANCIAL, LLC, et al.,

Debtors,

CENTRIX FINANCIAL LIQUIDATING TRUST, et al.,

Plaintiffs,

v.

ROBERT E. SUTTON, et al.,

Defendants.

ORDER OF DISMISSAL

This matter comes before the Court on the Unopposed Motion to Dismiss Remaining Claims Asserted by Plaintiffs Against Defendants Robert E. Sutton; 6762 Potomac, LLC; Centrix Consolidated, LLC; Founders Insurance Company, Ltd.; Johnson Street Holdings, LLC; RES Capital Holdings, Inc.; Williston Holdings, Ltd.; Katherine Sutton; Julie Sutton; Elizabeth Sutton; David Sutton; Birdie, LLC; the Julie L. Sutton Revocable Trust; and Potomac Aviation, LLC [Docket No. 145]. The Court has reviewed the pleading and is fully advised in the premises. It is

ORDERED that the motion to dismiss [Docket No. 145] is GRANTED. Pursuant to Fed. R. Civ. P. 41(a), all pending claims plaintiffs have asserted against defendants Robert E. Sutton; 6762 Potomac, LLC; Centrix Consolidated, LLC; Founders Insurance Company, Ltd.; Johnson Street Holdings, LLC; RES Capital Holdings, Inc.; Williston

Holdings, Ltd.; Katherine Sutton; Julie Sutton; Elizabeth Sutton; David Sutton; Birdie, LLC; the Julie L. Sutton Revocable Trust; and Potomac Aviation, LLC (collectively, the “Sutton Defendants”) are dismissed without prejudice, each party to bear its own attorneys’ fees and costs. It is further

ORDERED that the Court shall retain jurisdiction over this case in order to enforce the terms of the settlement agreement entered into between plaintiffs and the Sutton Defendants. It is further

ORDERED that the jury trial scheduled for April 15, 2014 is vacated, and this case is closed.

DATED April 14, 2014.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge