

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 09-cv-00301-MSK-MEH

BELL COLORADO, LIMITED, a corporation organized under the laws of the Isle of Man,

Plaintiff,

v.

RELATED WESTPAC, LLC, a Delaware limited liability company;
BRUSH CREEK ESTATES, LLC, a Colorado limited liability company;
BRUSH CREEK CAPITAL HOLDINGS, a Colorado limited liability company;
BRUSH CREEK MEZZANINE, LLC, a Delaware limited liability company;
YORKSHIRE 216 HOLDINGS, L.P., an Arizona limited partnership;
BASE VILLAGE SNOWMASS CENTER ASSOCIATES, LLC, a Colorado limited liability
company;
PATRICK N. SMITH, a resident of the States of Colorado in his individual and representative
capacities; and
TOWN OF SNOWMASS VILLAGE, a Colorado municipality,

Defendants.

ORDER ON PUBLIC TRUSTEE'S UNOPPOSED MOTION TO DISMISS

THIS MATTER comes before the Court on Defendant Public Trustee of Pitkin County,
Colorado's Unopposed Motion to Dismiss the Public Trustee from Plaintiff's Claims for
Damages, Costs and Expenses (#21). The Court, being advised in the matter:

ORDERS that the Motion is **GRANTED**. Any and all claims for damages, costs and
expenses in this action against Defendant Public Trustee of Pitkin County are hereby
DISMISSED. The caption shall be amended to reflect the deletion of the Public Trustee as a
Defendant. On all future pleadings, the caption shall contain all remaining parties.

DATED this 28th day of April, 2009.

BY THE COURT:

Marcia S. Krieger

Marcia S. Krieger
United States District Judge