IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO Judge Christine M. Arguello

Civil Action No. 09-cv-00373-CMA-CBS

LAZY DOG PROPERTIES, LLC, a Wyoming limited liability company, STEPHEN PAT SIMPSON, an individual, and JULIA SIMPSON, an individual,

Plaintiffs,

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SERVICE INSURANCE AGENCY, INC., a Utah corporation, and PHILIP J. TIMOTHY, an individual,

Defendants.

ORDER OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Plaintiffs' Motion To Dismiss (Doc. # 39) and in accordance with Fed.

R. Civ. P. 41(a)(2), it is hereby

ORDERED that this cause of action is DISMISSED WITHOUT PREJUDICE, each party to pay his, her or its own attorneys' fees and costs.

DATED: October 29, 2010

BY THE COURT:

CHRISTINE M. ARGUELLO
United States District Court Judge