

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

Civil Case No. 09-cv-00459-REB-KMT

JOSEPH E. BUSTOS,
SHANE E. WHITTAKER,
ROBERT G. KELLEY, and
MARVIN R. JENNINGS,

Plaintiffs,

v.

COBRA WELL TESTERS, LLC, a Wyoming limited liability company, doing business in
Colorado,

Defendant.

**AMENDED ORDER DISMISSING THE CLAIMS OF PLAINTIFFS,
JOSEPH E. BUSTOS, SHANE E. WHITTAKER, AND MARVIN R. JENNINGS**

Blackburn, J.

The matter is before me *sua sponte* to correct and amend the **Order Dismissing Plaintiffs Joseph E. Bustos, Shane E. Whittaker, and Marvin R. Kelley** [#18] entered June 5, 2009. The **Stipulated Motion For Court Approval of Settlement and Joint Motion To Dismiss With Prejudice** [#17] filed June 5, 2009, indicated that plaintiffs, Joseph E. Bustos, Shane E. Whittaker, and Marvin R. Jennings had settled with defendant, Cobra Well Testers, LLC. However, the order indicated erroneously and incorrectly that the court approved the settlement and dismissed the claims of Marvin R. Kelley, and not Marvin R. Jennings.

THEREFORE, IT IS ORDERED as follows:

1. That the court's **Order Dismissing Plaintiffs Joseph E. Bustos, Shane E. Whittaker, and Marvin R. Kelley** [#18] entered June 5, 2009, is **AMENDED** to reflect

that Joseph E. Bustos, Shane E. Whittaker, and Marvin R. Jennings are the plaintiffs who are participating in the settlement;

2. That the **Stipulated Motion For Approval of Settlement and Joint Motion To Dismiss With Prejudice** [#17] filed June 5, 2009, is **GRANTED**;

3. That the settlement among plaintiffs, Joseph E. Bustos, Shane E. Whittaker, and Marvin R. Jennings, and defendant, Cobra Well Testers, LLC, is **APPROVED** *pro tanto*;


4. That the claims of plaintiffs, Joseph E. Bustos, Shane E. Whittaker, and Marvin R. Jennings, are **DISMISSED WITH PREJUDICE**;

5. That plaintiffs, Joseph E. Bustos, Shane E. Whittaker, and Marvin R. Jennings, are **DROPPED** as parties to the action, and the case caption is amended accordingly; and

6. That this order **SUPPLANTS** and **SUPERSEDES** the **Order Dismissing Plaintiffs Joseph E. Bustos, Shane E. Whittaker, and Marvin R. Kelley** [#18] entered June 5, 2009.

Dated June 11, 2009, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge