

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

Civil Case No. 09-cv-00591-REB-KLM

VIGILANT INSURANCE COMPANY, a New York corporation,

Plaintiff,

v.

ATMOS ENERGY CORPORATION, a Texas corporation, and
TONY VEIT BUILDERS, INC., a Colorado corporation,

Defendants.

ORDER DISMISSING DEFENDANT TONY VEIT BUILDERS, INC., ONLY

Blackburn, J.

The matter before me is the **Stipulation For Dismissal With Prejudice** [#53] filed February 25, 2010. After careful review of the stipulation and the file, I conclude that the stipulation should be approved and that plaintiff's claims against defendant, Tony Veit Builders, Inc., should be dismissed with prejudice.

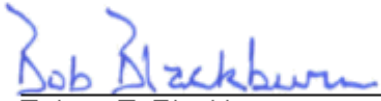
THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulation For Dismissal With Prejudice** [#53] filed February 25, 2010, is **APPROVED**;
2. That plaintiff's claims against defendant Tony Veit Builders, Inc., are **DISMISSED WITH PREJUDICE**, with the parties to pay their own attorney fees and costs;
3. That any pending motion filed by or on behalf of defendant, Tony Veit Builders, Inc., is **DENIED** as moot; and

4. That defendant, Tony Veit Builders, Inc., is **DROPPED** as a named party to this litigation, and the case caption is amended accordingly.

Dated February 25, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge