

**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,

Defendant.

ORDER OF DISMISSAL

Blackburn, J.

The matter before me is the **Stipulation For Dismissal With Prejudice** [#58] filed April 19, 2010. After careful review of the stipulation and the file, I conclude that the stipulation should be approved and that this action should be dismissed with prejudice.

THEREFORE, IT IS ORDERED as follows:


1. That the **Stipulation For Dismissal With Prejudice** [#58] filed April 19, 2010, is

APPROVED;

2. That the jury trial set to commence April 26, 2010, is **VACATED**; and
3. That this action is **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs.

Dated April 20, 2010, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge