

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

Civil Action No. 09-cv-00704-CMA-KMT

LAUREN P. ANDERSON, and  
WILLIAM W. ANDERSON, III,

Plaintiffs,

v.

DAVID C. VAN PELT, M.D.,  
BROOKS W. LONG, M.D.,  
CHRISTOPHER G. McLAUGHLIN, M.D., and  
SALLIE B. CLARK, M.D.,

Defendants.

---

**ORDER CLARIFYING SUMMARY JUDGMENT**

---

This matter is before the Court on Defendant Christopher G. McLaughlin, M.D.'s ("McLaughlin") Motion for Clarification of Order Granting Summary Judgment (Doc. # 193) and Plaintiffs' and McLaughlin's supplemental briefing regarding the same.<sup>1</sup> (Doc. ## 200, 204.) In his motion, McLaughlin requests clarification as to whether the Court intended its order granting summary judgment in his favor (Doc. # 188) ("Order") to be a final judgment under Federal Rule of Civil Procedure 54(b).

While the Court has stated that it did not intend the Order to be a final judgment pursuant to Rule 54(b) (Doc. # 194), the Court requested supplemental briefing from the

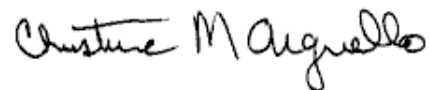
---

<sup>1</sup> Despite having the opportunity to do so, the remaining Defendants did not submit briefs on the issue.

parties as to whether such entry of judgment is appropriate. (Doc. # 199.) Both the Plaintiffs and Defendant McLaughlin submitted supplemental briefs and agree that such judgment should not be entered at this juncture in the case, but rather should be entered at the conclusion of the litigation against all defendants. Accordingly, the Court maintains that its Order is not a final judgment under Rule 54(b).

DATED: February 25, 2011

BY THE COURT:



---

CHRISTINE M. ARGUELLO  
United States District Judge