

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

Civil Action No. 09-cv-00724-REB-MEH

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, a Wisconsin corporation,

Plaintiff,

v.

DENVER HASLAM,
COMMERCIAL CAPITAL, INC.,
MIKEL MEWBOURN M&B,
DEVELOPMENT GROUP, INC.,
FALL RIVER VILLAGE COMMUNITIES, LLC,
ONEWEST BANK, FSB DEUTSCHE BANK, and
NATIONAL TRUST COMPANY,

Defendants.

**ORDER APPROVING STIPULATION PURSUANT TO RULE 41 FOR DISMISSAL OF
FIRST COUNTERCLAIMS OF FALL RIVER VILLAGE COMMUNITIES**

Blackburn, J.

The matter before me is the **Stipulation Pursuant To Rule 41 For Dismissal of First Counterclaim of Fall River Village Communities** [#264] filed July 28, 2010.

After reviewing the stipulation and the file, I conclude that the stipulation should be approved and that the first counterclaim of Fall River Village Communities (breach of contract) should be dismissed with prejudice.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulation Pursuant To Rule 41 For Dismissal of First Counterclaim of Fall River Village Communities** [#264] filed July 28, 2010, is

APPROVED;

2. That the first counterclaim of Fall River Village Communities (breach of contract) is **DISMISSED WITH PREJUDICE**; and

3. That pursuant to REB Civ. Practice Standard II.I.1, the parties shall file a joint status report by **August 9, 2010**, identifying the remaining claims in this matter.

Dated July 28, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge