

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

Civil Action No. 09-cv-00752-CMA-CBS
(Consolidated with 09-cv-01222-CMA-CBS and 09-cv-01356-CMA-CBS)

WILLIAM AND ELEANOR COHEN,
ROCHELLE MANDELBAUM, individually and as executrix of
THE ESTATE OF DONALD MANDELBAUM;
GIUSEPPE SANTINELLO;
ANNE J. DEL CASINO, and
ROBERT AND STEPHANIE HALIO,
on behalf of themselves and other person similarly situated,

Plaintiffs,

v.

FISERV, INC.,
FISERV TRUST COMPANY,
RETIREMENT ACCOUNTS, INC.,
NTC & CO. LLP,
TRUST INDUSTRIAL BANK,
LINCOLN TRUST COMPANY,
ROBERT BERIAULT,
ROBERT BERIAULT HOLDINGS, INC.,
TD AMERITRADE ONLINE HOLDING CORP., and
TD AMERITRADE HOLDING CORPORATION,

Defendants.

**ORDERING GRANTING DISMISSAL WITHOUT PREJUDICE
OF CERTAIN DEFENDANTS**

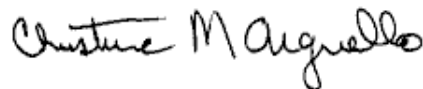
This matter is before the Court on the parties' Stipulation for Dismissal Without Prejudice of Certain Defendants (Doc. # 86). The Court having considered the matter and finding good cause, it is hereby

ORDERED that, pursuant to the terms of the Stipulation, all allegations asserted by Plaintiffs in their Consolidated Complaint (Doc. # 69) against the following four Defendants – Robert Beriault, Robert Beriault Holdings, Inc., TD Ameritrade Online Holdings Corp., and TD Ameritrade Holding Corp. (collectively, the “Dismissed Defendants”) – are withdrawn, and all claims against the Dismissed Defendants are DISMISSED WITHOUT PREJUDICE. Plaintiffs and the Dismissed Defendants shall bear their own attorneys’ fees and costs as to the claims hereby dismissed.

IT IS FURTHER ORDERED that the caption of subsequent filings shall be changed to reflect the removal of the Dismissed Defendants from this case.

DATED: March 04, 2010

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge