

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

Civil Action No. 09-cv-00782-CMA-MJW

JESSICA HERSH, Individually and as mother and next friend of  
RAPHAEL McPHEE, a minor,

Plaintiff,

v.

ECONOMY PREMIER ASSURANCE COMPANY,

Defendant.

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**ORDER OF DISMISSAL WITH PREJUDICE**

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THIS MATTER comes before the Court on the Stipulated Motion to Dismiss the Claims of Plaintiff Raphael McPhee Asserted Through His Mother and Next Friend Jessica Hersh Without Prejudice (Doc. # 13) and Plaintiff Jessica Hersh and Defendant Economy Premier Assurance Company's Stipulation for Dismissal With Prejudice (Doc. # 14). Having reviewed the Motions and the court file, it is

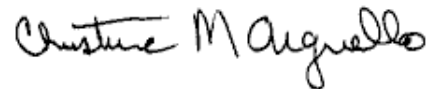
ORDERED that the Stipulated Motion to Dismiss the Claims of Plaintiff Raphael McPhee Asserted Through His Mother and Next Friend Jessica Hersh (Doc. # 13) is GRANTED. The Complaint and this civil action as to the minor child, Raphael McPhee, are DISMISSED without prejudice. It is

FURTHER ORDERED that Plaintiff Jessica Hersh and Defendant Economy Premier Assurance Company's Stipulation for Dismissal With Prejudice (Doc. # 14) is

GRANTED. The Complaint and this civil action as to Plaintiff Jessica Hersh are  
DISMISSED with prejudice. Each party to pay their own costs and attorney fees.

DATED: October 7, 2009.

BY THE COURT:

A handwritten signature in black ink that reads "Christine M. Arguello". The signature is written in a cursive style with a large initial 'C' and 'M'.

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CHRISTINE M. ARGUELLO  
United States District Judge