

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

Civil Case No. 09-cv-00842-REB-MEH

SCOTT FRASER, an individual,

Plaintiff,

v.

HIGH MOUNTAIN CONCEPTS, LLC, a Colorado limited liability company,

Defendant.

---

**ORDER**

---

**Blackburn, J.**

The matter comes before me on the Parties' **Notice of Settlement and Request for Entry of Order** [#37] filed December 22, 2009. After careful review of the notice and the file,

**IT IS ORDERED** as follows:

1. That on receipt of the payment of \$75,000.00 from Defendant, Plaintiff shall file a notice with the Court, whereupon this case shall be dismissed with prejudice; each party to bear its own fees and costs;

2. That if Defendant fails to pay Plaintiffs \$75,000.00 by July 15, 2010, then Plaintiffs may file a Confession of Judgment, substantially in the form attached as Exhibit A to the parties' motion, whereupon the Court shall immediately enter judgment for the Plaintiff and against Defendant in the amount of \$100,000.00;

3. That all pending deadlines and hearings, including the Final Pretrial Conference, set for February 26, 2010, the Trial Preparation Conference, set for June

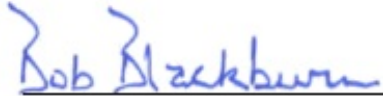
4, 2010, and the Trial, set to commence June 28, 2010, are **VACATED**;

4. That the **Defendant's Motion To Dismiss** [#10] filed May 11, 2009, is **DENIED** as moot; and

5. That under **D.C.COLO.LCivR 41.2**, the clerk is **DIRECTED** to close this civil action administratively, subject to reopening for good cause.

Dated January 5, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn  
United States District Judge