

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

Civil Action No. 09-cv-01062-REB-MJW

PITTSBURGH STANDARD SPINE CO.,

Plaintiff and Counterclaim Defendant,

v.

LANX, INC., AS SUCCESSOR TO LANX, LLC,

Defendant and Counterclaimant.

**ORDER GRANTING STIPULATED MOTION FOR ENTRY OF SETTLEMENT
AGREEMENT AS AN ORDER OF THE COURT AND ADMINISTRATIVE CLOSURE
OF CASE**

Blackburn, J.

The matter is before the court on the **Stipulated Motion For Entry of Settlement Agreement as an Order of The Court and Administrative Closure of Case** [#121] filed July 22, 2010. Having reviewed motion and the file, I conclude that the motion should be granted and that this action should be administratively closed.

The **Settlement Agreement** [#123] filed July 22, 2010, is the product of vigorous litigation and arms-length negotiation by the parties, including mediation ordered by the Court, regarding the claims, defenses, and other issues in the case, including, but not limited to, the parties' competing views about the fair market value of certain services provided by Pittsburgh Standard Spine Co.

The parties were advised by competent counsel and experts of their choosing regarding the above-captioned litigation, the settlement negotiations, and the fair market value of Pittsburgh's services. The **Settlement Agreement** represents a reasonable compromise of the parties' competing claims and defenses in this litigation;

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulated Motion For Entry of Settlement Agreement as an Order of The Court and Administrative Closure of Case** [#121] filed July 22, 2010, is **GRANTED**;

2. That the **Settlement Agreement** [#123] filed July 22, 2010, is **APPROVED** and entered as an order of the court;

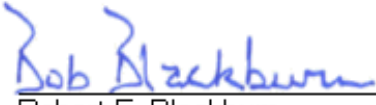
3. That pursuant to **D.C.COLO.LCivR 41.2**, the clerk is **DIRECTED** to close this civil action administratively, subject to re-opening for good cause;

4. That if no action is taken to re-open this case by January 31, 2012, it shall be dismissed with prejudice without further notice; provided, furthermore, that except as provided for in the **Settlement Agreement**, each party shall bear their own costs and attorney fees; and

5. That the Trial Preparation Conference set for Friday, July 23, 2010, and the trial to the court set to commence Monday, July 26, 2010, are **VACATED**.

Dated July 29, 2010, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge