

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

Civil Case No. 09-cv-01426-REB-CBS

PAMA VENTURES, LLC, a Washington limited liability company,

Plaintiff,

v.

BRIAN WELLENS,

Defendant/Third Party Plaintiff,

v.

GARY CARPENTER, an individual,
RICK DOANE, an individual,
CASA BRISAS HOLDINGS, LLC, a Colorado limited liability company,
JEFFERY TALLMAN, an individual, and
CYPRESS CAPITAL MANAGEMENT, LLC an Oregon limited liability company,

Third Party Defendants.

**AMENDED¹
ORDER OF DISMISSAL WITHOUT PREJUDICE OF THIRD-PARTY CLAIMS**

Blackburn, J.

The matters before the court are: (1) **Notice of Voluntary Dismissal of Third Party Claims Without Prejudice** [#37] filed May 11, 2010; and (2) **Notice of Stipulation For Voluntary Dismissal of Third Party Claims** [#38] filed May 11, 2010.

After reviewing the notices and the file, I conclude that the notices should be approved and that the third party claims filed by defendant/third party plaintiff, Brian Wellens,

¹ This amended order is necessary to correct that part of my **Order of Dismissal Without Prejudice of Third-Party Claims** [#39] entered May 11, 2010, which purported to dismiss all third-party claims against all third-party defendants based only on the **Notice of Voluntary Dismissal of Third Party Claims Without Prejudice** [#37] filed May 11, 2010, which did not include third-party claims against third-party defendants, Carpenter and Doane.

against the third party defendants should be dismissed without prejudice.

THEREFORE, IT IS ORDERED as follows:

1. That the **Notice of Voluntary Dismissal of Third Party Claims Without Prejudice** [#37] filed May 11, 2010, is **APPROVED**;

2. That the **Notice of Stipulation For Voluntary Dismissal of Third Party Claims** [#38] on May 11, 2010, is **APPROVED**;

3. That the third-party claims filed by defendant/third-party plaintiff, Brian Wellens, against third-party defendants, Gary Carpenter, Rick Doane, Casa Brisas Holdings, LLC, Jeffrey Tallman, and Cypress Capital Management, LLC, are **DISMISSED WITHOUT PREJUDICE**;


4. That any pending motion filed on behalf of the third-party defendants, Gary Carpenter, Rick Doane, Casa Brisas Holdings, LLC, Jeffrey Tallman, and Cypress Capital Management, LLC, is **DENIED** as moot;

5. That third-party defendants, Gary Carpenter, Rick Doane, Casa Brisas Holdings, LLC, Jeffrey Tallman, and Cypress Capital Management, LLC, are **DROPPED** as named parties to this litigation, and the case caption is amended accordingly; and

6. That this order **SUPLANTS** and **SUPERSEDES** the **Order of Dismissal Without Prejudice of Third-party Claims** [#39] entered May 11, 2010.

Dated May 11, 2010, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge