

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 09-cv-01474-RPM-MJW

JAY HOLLAND and  
ALYSSA DANIELSON-HOLLAND,

Plaintiffs,

v.

STANDLEY AND ASSOCIATES, LLC,

Defendant.

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ORDER GRANTING JUDGMENT OF DISMISSAL OF ALL CLAIMS EXCEPTING 15 U.S.C. § 1692(d)(2)

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Upon considering the defendant's motion for summary judgment, filed on May 28, 2010, [Doc. 56], the plaintiffs' response and request for relief as a matter of law, filed July 2, 2010, [Doc. 65], the briefs filed and the recommendation of United States Magistrate Judge Michael J. Watanabe, filed March 4, 2011, [Doc. 75] and the plaintiffs' objections, filed March 18, 2011, the Court adopts and includes by this reference the findings and conclusions of Magistrate Judge Watanabe in the recommendation and denies the plaintiffs' objections and it is therefore

ORDERED that pursuant to Fed.R.Civ.P. 56(a) all of the plaintiffs' claims in the first amended complaint are dismissed with the exception of the claim for a violation of 15 U.S.C. § 1692(d)(2) for abusive language and the plaintiffs' request for relief as a matter of law is denied. It is

FURTHER ORDERED that because the pretrial order entered by Magistrate Judge Watanabe on July 7, 2010, is no longer operative, a new pretrial conference will be set to prepare for trial on the remaining claim.

DATED: March 24, 2011

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge