

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

Civil Action No. 09-cv-01477-CMA-KMT

HORIZON MOTOR SPORTS, LLC

Plaintiff/Counter Defendant,

v.

CONTINENTAL WESTERN INSURANCE COMPANY,
EMPLOYERS MUTUAL CASUALTY COMPANY, and
ALEX N. SILL COMPANY

Defendants/Counter Claimant.

**ORDER DISMISSING PARTY WITH PREJUDICE
AND TO AMEND CAPTION**

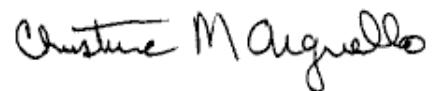
This matter is before the Court on Plaintiff Horizon Motor Sports, LLC's and Defendant/Counter Claimant Alex N. Sill Company's Stipulation of Dismissal with Prejudice of Defendant/Counter Claimant Alex N. Sill Company (Doc. # 44). The Court has reviewed the Stipulation and ORDERS as follows:

All claims that Plaintiff has asserted or could have asserted against Defendant/Counter Claimant Alex N. Sill Company and all counterclaims that Defendant/Counter Claimant Alex N. Sill Company has asserted or could have asserted against Plaintiff are hereby DISMISSED WITH PREJUDICE, each party to pay its own costs and attorneys' fees. It is

FURTHER ORDERED that the caption on all subsequent filings shall reflect the removal of Alex N. Sill Company as a Defendant/Counter Claimant in this case.

DATED: January 04, 2010

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge