

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

Civil Case No. 09-cv-01750-REB-BNB

NORTHWEST DIRECT TELESERVICES, INC.,

Plaintiff,

v.

TOUCHSTAR SOFTWARE CORP,  
KAYNE ANDERSON INVESTMENT MANAGEMENT, INC., and  
ADAM MICHELIN,

Defendants.

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**ORDER OF DISMISSAL**

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**Blackburn, J.**

The matter before me is **Plaintiff Northwest Direct Teleservices, Inc.'s Unopposed Motion to Dismiss** [#95] filed February 5, 2010. After careful review of the motion and the file, I conclude that the motion should be granted and that this action should be dismissed without prejudice.


**THEREFORE, IT IS ORDERED** as follows:

1. That **Plaintiff Northwest Direct Teleservices, Inc.'s Unopposed Motion to Dismiss** [#95] filed February 5, 2010, is **GRANTED**;
2. That **Plaintiff's Unopposed Motion to Release Preliminary Injunction Bond** [#83] filed December 14, 2009, is **GRANTED**;
3. That the cash bond of \$5,000 posted in connection with the Preliminary Injunction on August 25, 2009, shall be released, and that the Clerk shall disburse the funds held on deposit with the Court to NDT;
4. That all other pending motions are **DENIED AS MOOT**;
5. That the Trial Preparation Conference set for August 6, 2010, is **VACATED**;

6. That the jury trial set to commence August 23, 2010, is **VACATED**; and
7. That this action is **DISMISSED WITHOUT PREJUDICE**.

Dated February 8, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn  
United States District Judge