

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No: 09- cv- 02512 - DME

FREDERICK J. CARBERRY,

Plaintiff,

v.

INTERNATIONAL BUSINESS MACHINES CORPORATION, a/k/a
INTERNATIONAL BUSINESS MACHINES, a/k/a IBM and
METROPOLITAN LIFE INSURANCE COMPANY, a/k/a METLIFE

Defendants.

**ORDER RE: UNOPPOSED MOTION TO DISMISS DEFENDANT IBM WITHOUT
PREJUDICE**

The Court, having reviewed Plaintiff's Unopposed Motion to Dismiss Defendant IBM Without Prejudice, grants said Motion, and dismisses without prejudice the Defendant International Business Machines Corporation, a/k/a International Business Machines, a/k/a IBM from this litigation.

DONE AND SIGNED this 31st day of December, 2009.

BY THE COURT:

s/ David M. Ebel

U. S. Circuit Court Judge