

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 09-cv-02539-WYD-MJW

JOHN JACQUAT,

Plaintiff,

v.

HUB INTERNATIONAL INSURANCE SERVICES, INC., a California corporation,

Defendant.

ORDER OF DISMISSAL WITH PREJUDICE

This matter comes before the Court on Plaintiff John Jacquat and Defendant Hub International Insurance Services, Inc.'s Stipulated Motion for Dismissal with Prejudice ("Stipulated Motion") (ECF No. 138). The Court, having reviewed the Stipulated Motion, and being otherwise fully advised of the premises, orders as follows:

It is ORDERED that the Stipulated Motion for Dismissal with Prejudice (ECF No. 138), filed November 5, 2010, is **GRANTED** and the Court dismisses the claims and counterclaims between the parties in this matter, **WITH PREJUDICE**. Each party is to pay its own costs and attorneys' fees. It is further

ORDERED that Defendant Hub International Insurance Services, Inc.'s Motion for Sanctions for Spoilation of Evidence (ECF No. 68), filed July 27, 2010, is **DENIED AS MOOT**. It is further

ORDERED that Magistrate Judge Michael J. Watanabe's Recommendation on Defendant Hub International Insurance Service's Inc's Motion for Sanctions for

Spoilation of Evidence (ECF No. 133), entered October 7, 2010, is **SET ASIDE AS MOOT.**

Dated: November 8, 2010

BY THE COURT:

s/ Wiley Y. Daniel _____
Wiley Y. Daniel
Chief United States District Judge