

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 09-cv-02601-PAB-BNB

MICHAEL E. CUMMINGS,

Plaintiff,

v.

AVON WYNFIELD LLC,

Defendant.

ORDER

This matter arises on the following:

(1) **Defendants' Supplemental Designation of Non-Parties at Fault** [Doc. # 64, filed 7/15/2010] (the "Supplemental Non-Party Designation");

(2) **Plaintiff's Motion to Strike and Dismiss Certain Designations of Nonparties at Fault for Failure to State a Viable Claim and Failure to File an Adequate Certificate of Review With Authorities** [Doc. # 80, filed 11/24/2010] (the "Motion to Strike"); and

(3) **A Stipulation Concerning Designation of Non-Parties at Fault** [Doc. # 83, filed 12/7/2010] (the "Stipulation").

In view of the parties' Stipulation [Doc. # 83],

IT IS ORDERED:

(1) The Supplemental Non-Party Designation [Doc. # 64] is STRICKEN, having been withdrawn;

(2) The Motion to Strike [Doc. # 80] is DENIED as moot; and

(3) The hearing on the Motion to Strike set for December 10, 2010, at 1:30 p.m., is
VACATED.

Dated December 8, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge