

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02613-RPM

RICHMOND AMERICAN HOMES OF COLORADO, INC.,  
a Colorado corporation,

Plaintiff,

v.

AMERICAN GUARANTEE AND LIABILITY INSURANCE COMPANY,  
AMERICAN ZURICH INSURANCE COMPANY,  
SCOTT CONTRACTING, INC., and  
TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA,

Defendants.

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ORDER FOR REMAND

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This civil action was removed by the insurance company defendants and defendant Travelers Property Casualty Company of America, filed a motion to drop and or sever defendant Scott Contracting, Inc. as a defendant. Upon review of the First Amended Complaint, filed in the District Court, Jefferson County, Colorado, the claims made against Scott Contracting, Inc. are an integral part of the plaintiff's claims against the insurance companies in that the liability of Richmond American Homes of Colorado, Inc. for defective work is alleged to be that of Scott Contracting Inc. Accordingly, it is

ORDERED that the Travelers' Motion to Drop and or Sever Scott Contracting, Inc. as a defendant is denied and it is

FURTHER ORDERED that this civil action is remanded to the District Court, Jefferson County, Colorado.

DATED: November 9<sup>th</sup>, 2009

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge