

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

Civil Action No. 09-cv-02986-REB-BNB

LUCRECIA CARPIO HOLMES,

Plaintiff,

v.

COLORADO COALITION FOR THE HOMELESS LONG TERM DISABILITY PLAN,

Defendant.

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**FINAL JUDGMENT**

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Pursuant to Fed. R. Civ. P. 58(a), and the orders entered in this case, **Final Judgment** is entered.

A. Pursuant to the **Order Setting Aside Default Judgment** [#14] entered by Judge Robert E. Blackburn on September 20, 2010, which order is incorporated by reference,

**IT IS ORDERED** as follows:

1. That the defendant's **Motion to Set Aside Default Judgment and Brief in Support** [# 3], filed December 30, 2009, is **GRANTED**; and

2. That under FED. R. CIV. P. 60(b), the **Judgment** entered in this case by the District Court, City and County of Denver, State of Colorado, Case Number 08 CV 3376, on December 23, 2009, filed in this case as Exhibit A-10 to the defendant's **Notice of Removal** [#1], is **SET ASIDE**.

B. Pursuant to the **Order** [#40] entered by Judge Robert E. Blackburn on March

27, 2013, which order is incorporated by reference,

**IT IS ORDERED** as follows:

1. That the **Defendant's Brief on the Administrative Record** [#16] filed September 29, 2010, construed as a motion for summary judgment, is **GRANTED**;
2. That the ERISA claim asserted by the plaintiff in her complaint [#1-1] is **DISMISSED WITH PREJUDICE**;
3. That **JUDGMENT IS ENTERED** in favor of the defendant, Colorado Coalition for the Homeless Long Term Disability Plan, against the plaintiff, Lucrecia Carpio Holmes;
4. That the defendant is **AWARDED** its costs to be taxed by the clerk of the court in the time and manner prescribed by Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.; and
5. That this case is **CLOSED**.

DATED at Denver, Colorado, this 27<sup>th</sup> day of March, 2013.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/Edward P. Butler  
Edward P. Butler  
Deputy Clerk