

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 09-cv-03030-RPM-MJW

CANADIAN NATIONAL RAILWAY COMPANY,

Plaintiff,

v.

CAPROCK PIPE & SUPPLY, INC.,

Defendant.

ORDER REJECTING SETTLEMENT AGREEMENT

On March 10, 2010, the parties filed a pleading designated "Order of Settlement" which provides for the payment of monthly installments beginning April 15, 2010, to March 15, 2011, and a provision that this case would be dismissed but jurisdiction retained to enforce the installment payments and the possible entry of a judgment in the event of a default. The agreement is not acceptable to the Court. It amounts to an inappropriate enforcement of a private contract. Accordingly, considering the pleading as a stipulation for the entry of an order of dismissal, it is

ORDERED that the stipulation of settlement is rejected.

DATED: March 12th, 2010

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge