

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

Civil Action No. 10-cv-00056-RPM-MEH

NICHOLAS BARBERIO,

Plaintiff,

v.

B&V DESIGN INC., dba BTW FINANCIAL COMPANY, and  
TIMOTHY WALKUP

Defendant.

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ORDER REJECTING STIPULATION FOR JUDGMENT

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On June 16, 2010, a pleading designated Stipulation for Judgment and Dismissal and for Order Regarding Conditional Settlement [20] was filed. There has been no appearance for the corporate defendant in this case and the stipulation appears to be signed by defendant Timothy Walkup, both individually and on behalf of that company. The stipulation is not acceptable. Additionally, the stipulation calls for a conditional dismissal and essentially asks this court to stand by to enforce an installment payment agreement with provisions for an entry of judgment upon default. This procedure is not acceptable. It is therefore

ORDERED that the stipulation for judgment and dismissal is rejected.

DATED: June 17<sup>th</sup>, 2010

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge