

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 10-cv-00528-WYD-KLM

BBVA COMPASS INSURANCE AGENCY, INC.,

Plaintiff,

v.

DARRELL C. R. OLSON, II;
LANCE M. OLSON;
OLSON & OLSON INSURANCE SERVICES, INC.;
STEVEN HARTLE;
MICHAEL CLARK;
GEORGE BOWDOURIS, JR.; and
KATHY LUTHER,

Defendants.

ORDER

THIS MATTER comes before the Court on both Plaintiff BBVA Compass Insurance Agency Inc.'s ("Compass") Emergency Motion to Enforce Material Terms of Settlement (ECF No. 102) and Defendants' Motion to Enforce Material Terms of Settlement and Motion for Dismissal With Prejudice (ECF No. 105). After consideration of the parties' briefs along with the arguments and authorities presented at the December 21, 2010 hearing, I order the following for the reasons stated on the record. It is

ORDERED that Plaintiff BBVA Compass Insurance Agency Inc.'s ("Compass") Emergency Motion to Enforce Material Terms of Settlement (ECF No. 102) is **GRANTED**. In accordance therewith, the Court enforces the document entitled

“Material Terms of Settlement” as it is both unambiguous and was duly executed. It is

FURTHER ORDERED that Defendants’ Motion to Enforce Material Terms of Settlement and Motion for Dismissal With Prejudice (ECF No. 105) is **GRANTED IN PART AND DENIED IN PART**. The motion is granted to the extent that it seeks dismissal of this case with prejudice. The motion is denied in all other respects. It is

FURTHER ORDERED that the parties shall comply with the Material Terms of Settlement. Accordingly, this matter is **DISMISSED WITH PREJUDICE**.

Dated: December 22, 2010

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge