

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 10-cv-01075-REB-KMT

LAWRENCE COUNTRYMAN, on behalf of himself and all others similar situated,

Plaintiff,

v.

FARMERS INSURANCE EXCHANGE, an insurer, and owner of MID-CENTURY
INSURANCE COMPANY, a California corporation,

Defendant.

ORDER OF DISMISSAL

Blackburn, J.

The matter before me is the **Stipulation of Dismissal** [#116]¹ filed October 15, 2012. After reviewing the stipulation and the record, I conclude that the stipulation should be approved and that this action should be dismissed with prejudice.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulation of Dismissal** [#116] filed October 15, 2012, is

APPROVED;

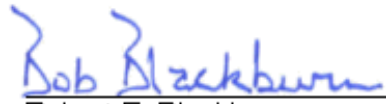
2. That the Trial Preparation Conference set for October 19, 2012, is **VACATED;**
3. That the jury trial set to commence November 5, 2012, is **VACATED;**
4. That any pending motion is **DENIED** as moot; and

¹ “[#116]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s electronic case filing and management system (CM/ECF). I use this convention throughout this order.

5. That all remaining claims of plaintiff, Lawrence Countryman against defendants Farmers Insurance Exchange and Mid-Century Insurance Company, except for those claims asserted on behalf of himself and the purported two-year-limit subclass (as defined in plaintiff's complaint) that were alleged in plaintiff's complaint as (1) breach of contract, (2) violation of C.R.S. § § 10-4-635 to -636, (3) willful and wanton breach of contract, (4) deceptive trade practices - violation of C.R.S. § 6-1-105(1), (5) violation of C.R.S. § § 10-3-1115 to -1116, and (6) declaratory relief, which claims were previously dismissed with prejudice by the **Order Granting Motion To Dismiss** [#100] and which plaintiff has indicated an intention to appeal, are **DISMISSED WITH PREJUDICE**, with each party to bear its own costs, attorney fees, and other expenses of litigation.

Dated October 16, 2012, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge