

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

Civil Action No. 10-cv-02818-WYD-MJW

DELMO FRESQUEZ

Plaintiff,

v.

WELLS FARGO, N.A., AND US BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MBS HEAT 2003-7

Defendant,

and

US BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MBS HEAT 2003-7

Third Party Plaintiff,

v.

JO ANNE STROCK

Third Party Defendant.

ORDER OF DISMISSAL WITHOUT PREJUDICE

THIS MATTER comes before the Court on the Stipulated Motion to Dismiss Without Prejudice (ECF No. 57), filed February 12, 2013. After carefully reviewing the above-captioned case, I find that the motion should be granted and that this matter should be dismissed without prejudice pursuant to Fed. R. Civ. 41(a). Accordingly, it is

ORDERED that the Stipulated Motion to Dismiss Without Prejudice (ECF No. 57) is **GRANTED**. In accordance therewith, this matter is **DISMISSED WITHOUT PREJUDICE**, each party to bear its own attorney fees and costs.

Dated: February 12, 2013

BY THE COURT:

s/ Wiley Y. Daniel
WILEY Y. DANIEL,
UNITED STATES SENIOR DISTRICT JUDGE