

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 11-cv-00403-WJM-BNB

JAY CLEARY,

Plaintiff,

v.

BOEING COMPANY EMPLOYEE HEALTH AND WELFARE BENEFIT PLAN (PLAN 503),
UNITED LAUNCH ALLIANCE WELFARE BENEFITS PLAN FOR HERITAGE BOEING
EMPLOYEES, and
UNITED LAUNCH ALLIANCE ADMINISTRATIVE COMMITTEE,

Defendants.

FINAL JUDGMENT

Pursuant to and in accordance with Fed. R. Civ. P. 58(a), all previous Orders entered in this case, and the Order Affirming Denial Of ERISA Benefits, Granting Defendants' Motion For Summary Judgment, And Denying As Moot Defendants' Motion to Strike, entered by the Honorable William J. Martínez, United States District Judge, on July 31, 2013,

IT IS ORDERED that

1. The parties' Joint Motion for Determination (ECF No. 135) of Plaintiff's Claim One is GRANTED and the denial of benefits is AFFIRMED;
2. The ULA Defendants' Motion for Summary Judgment (ECF No. 118) on Plaintiff's Claims Two, Three, and Four is GRANTED;
3. The ULA Defendants' Motion to Strike (ECF No. 133) is DENIED AS

MOOT; and

4. Final Judgment is entered in favor of Defendants and against the Plaintiff on all claims and the action and complaint are dismissed.
5. Defendants shall have their costs to be taxed by the clerk of the court in the time and manner prescribed by Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.

DATED at Denver, Colorado this 1st day of August, 2013.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/ Edward P. Butler

Edward P. Butler, Deputy Clerk