

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

Civil Case No. 11-cv-00555-REB-KLM

ELLIOT B. MAISEL,

Plaintiff,

v.

ERICKSON CONSTRUCTION, INC., a Colorado corporation,
RICKIE DEAN ERICKSON, individually,
CHARLES L. CUNNIFFE, individually, d/b/a Charles Cunniffe & Assoc, Architects,
ALPINE HEATING AND SHEET METAL, INC., a Colorado corporation,
COG PLUMBING & HEATING, INC., a Colorado corporation,
FRONTIER ENTERPRISES, LTD., d/b/a Frontier Structures, Inc., a Colorado corporation,
JOHN'S CONSTRUCTION,
PEAK SERVICE AND RENOVATION INC., d/b/a Peak Mechanical Services, Inc., a
Colorado corporation,
THE LOG CONNECTION, INC., a Colorado corporation, and
TINMAN ROOFING AND HOME IMPROVEMENTS, INC., a Colorado corporation,

Defendants.

ERICKSON CONSTRUCTION, INC., a Colorado corporation,
RICKIE DEAN ERICKSON, individually,

Cross-Claimants/Third-Party Plaintiffs.

CHARLES L. CUNNIFFE, individually, d/b/a Charles Cunniffee & Assoc, Architects,
COG PLUMBING & HEATING, INC., a Colorado corporation,
PEAK SERVICE AND RENOVATION INC., d/b/a Peak Mechincal Services, Inc., a Colorado
corporation,
THE LOG CONNECTION, INC., a Colorado corporation,
DAVID JOHNS, individually, d/b/a Johns Construction,
CROSS SEVEN, INC., a Colorado corporation,
LOGARYTHMS, INC., a Colorado corporation,
STEAMBOAT LANDSCAPING, INC., d/b/a Mountain West Environments, Inc., a Colorado
corporation, and
TBW, INC., a Colorado corporation,

Cross-Claim Defendants/Third-Party Defendants.

**ORDER OF DISMISSAL AS TO DEFENDANTS,
FRONTIER ENTERPRISES, LTD, AND
TINMAN ROOFING AND HOME IMPROVEMENTS, INC., ONLY**

Blackburn, J.

The matter is before me on the **Plaintiff's Unopposed Motion For Dismissal of Defendants Frontier and Tinman Without Prejudice** [#110]¹ filed October 4, 2011. After reviewing the stipulation and the file, I conclude that the motion should be granted and that plaintiff's claims against defendants, Frontier Enterprises, Ltd, d/b/a Frontier Structures Inc., and Tinman Roofing and Home Improvements, Inc., should be dismissed without prejudice.

THEREFORE, IT IS ORDERED as follows:


1. That **Plaintiff's Unopposed Motion For Dismissal of Defendants Frontier and Tinman Without Prejudice** [#110] filed October 4, 2011, is **GRANTED** ;

2. That plaintiff's claims against defendants, Frontier Enterprises, Ltd, d/b/a Frontier Structures Inc., and Tinman Roofing and Home Improvements, Inc., are **DISMISSED WITHOUT PREJUDICE** with the parties to pay their own attorney fees and costs; and

3. That defendants, Frontier Enterprises, Ltd, d/b/a Frontier Structures Inc., and Tinman Roofing and Home Improvements, Inc., are **DROPPED** as named parties to this action, and the case caption is amended accordingly.

Dated October 5, 2011, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge

¹"[#110]" 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.