

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

Civil Case No. 11-cv-00698-REB-MJW

JOHN MATHEWS,

Plaintiff,

v.

THE TRAVELERS ,

Defendant.

ORDER GRANTING MOTION FOR SUMMARY JUDGMENT

Blackburn, J.

This matter is before me on the **Defendant's Motion for Summary Judgment and for Attorney Fees and Costs** [#31]¹ filed January 9, 2012. On February 21, 2012, the plaintiff filed a response [#36] in which the plaintiff represents that he does not object to the court granting the defendant's motion for summary judgment. In addition, the plaintiff says the parties have agreed that each party shall bear their own costs and attorney fees. In its reply [#37], the defendant confirms the plaintiff's statements and reiterates its request that judgment enter in favor of the defendant.

THEREFORE, IT IS ORDERED as follows:

1. That the **Defendant's Motion for Summary Judgment and for Attorney Fees and Costs** [#31] filed January 9, 2012, is **GRANTED**;
2. That **JUDGMENT SHALL ENTER** in favor of the defendant, The Travelers,

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

against the plaintiff, John Mathews;

3. That each party shall bear its own costs and attorney fees;

4. That the Trial Preparation Conference set for June 22, 2012, and the trial to the court set to commence June 25, 2012, are **VACATED**; and

4. That this case is **CLOSED**.

Dated April 4, 2012, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge