

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

Civil Action 11-cv-01203-WJM-KMT

MICHAEL L. MENDENHALL, an individual,

Plaintiff,

v.

BANKERS LIFE AND CASUALTY COMPANY, an Illinois Corporation, and  
CNO FINANCIAL GROUP, INC, (f/k/a Conseco, Inc.) a Delaware Corporation,

Defendants.

BANKERS LIFE AND CASUALTY COMPANY, an Illinois Corporation,

Counterclaim-Plaintiff,

v.

MICHAEL L. MENDENHALL, an individual,

Counterclaim-Defendant.

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**FINAL JUDGMENT**

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Pursuant to and in accordance with Fed. R. Civ. P. 58(a), all Orders entered in this case and the Order Adopting March 12, 2014 Recommendation of Magistrate Judge and Granting Defendants' Motion for Summary Judgment entered by the Honorable William J. Martínez, United States District Judge, on April 9, 2014,

IT IS ORDERED that the Magistrate Judge's Recommendation (ECF No. 93) is ADOPTED in its entirety.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (ECF No. 86) is GRANTED.

On April 16, 2014, Bankers Life filed a Notice of Voluntary Dismissal of Counterclaims, voluntarily dismissing its counterclaims without prejudice.

Accordingly, all claims asserted in this action have been dismissed and Final Judgment is entered for Defendants and against Plaintiff.

IT IS FURTHER ORDERED that Defendants are awarded their costs upon the filing of a Bill of Costs with the Clerk of Court within fourteen days' entry of Final Judgment.

Dated at Denver, Colorado this 17<sup>th</sup> day of April 2014.

BY THE COURT:  
JEFFREY P. COLWELL, CLERK

By: Deborah A. Hansen  
Deborah A. Hansen, Deputy Clerk