

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable Marcia S. Krieger

Civil Action No. 11-cv-02182-MSK-KLM

COLORADO CASUALTY INSURANCE COMPANY,

Plaintiff,

v.

S & S JOINT VENTURE;  
WHITE RIVER VILLAGE, LLP; and  
WHITE RIVER TOWNHOMES, LLC,

Defendants.

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**ORDER OF DISMISSAL**

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THIS MATTER comes before the Court on the Stipulation for Dismissal (Stipulation) (#43) filed March 4, 2014. Having reviewed the Stipulation,

**IT IS ORDERED** that the claims alleged between and among Plaintiff, Defendant S&S Joint Venture and Intervenor in this matter are dismissed, with prejudice, and Plaintiff, Defendant S&S Joint Venture and Intervenor shall not seek attorney's fees and costs from each other. It is

**FURTHER ORDERED** that Intervenor's cross-claims alleged against Defendants White River Village LLP and White River Townhomes, LLC, are hereby dismissed, without prejudice. This dismissal shall not be construed as a waiver of Intervenor's right to maintain, and/or continue with, the prosecution of currently pending actions and claims it has against White River Village LLP and White River Townhomes, LLC. In addition, this dismissal shall not be construed as a waiver of Intervenor's right to assert new legal actions and claims against

White River Village LLP and/or White River Townhomes, LLC. The dismissal of Intervenor's cross-claims against White River Village LLP and White River Townhomes, LLC herein, shall not be deemed as an adjudication of any of the facts or claims Intervenor has alleged in the above-captioned case, nor shall it be deemed as a waiver of Intervenor's right to continue to assert and maintain said factual allegations and claims in any and all other actions pending between Intervenor and White River Village LLP and/or White River Townhomes, LLC.

DATED this 6<sup>th</sup> day of March, 2014.

**BY THE COURT:**



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Marcia S. Krieger  
Chief United States District Judge