

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-03181-KLM

PATRICIA WRIGHT, formerly known as Patricia Critchfield,

Plaintiff,

v.

TWIN CITY FIRE INSURANCE COMPANY, and  
THE WARRANTY GROUP, L.L.C., also known as TWG Holding, L.L.C.,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on **Defendants' Motion to Modify Order Granting Plaintiff's Motion to Amend, and for Attorneys' Fees** [Docket No. 45; Filed April 25, 2012] (the "Motion"). Although Plaintiff opposes the relief requested, see [#45] at 4, Plaintiff failed to file a timely response. (Pursuant to Fed. R. Civ. P. 6(d) and D.C.COLO.LCivR 7.1C., Plaintiff's response was due on or before May 21, 2012.) The Court thus construes the Motion as unopposed.

IT IS HEREBY **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED AS MOOT IN PART**. Defendants ask the Court to award their expenses incurred up to the date of filing of the Motion, and to condition the Court's acceptance of Plaintiff's Amended Complaint [#41] on the dismissal of The Hartford, The Hartford Financial Services Group, Inc., Hartford Life and Accident Insurance Company, The Warranty Group, L.L.C., and TWG Holdings L.L.C. [#45] at 17. On May 11, 2012 [#53], Plaintiff filed a Notice of Voluntary Dismissal as to Defendants The Hartford, The Hartford Financial Services Group, Inc., and Hartford Life and Accident Insurance Company. The remaining two Defendants, Twin City Fire Insurance Company and The Warranty Group, L.L.C., filed an answer on May 18, 2012 [#55]. Defendants' request for dismissal of certain defendants is therefore moot.

IT IS FURTHER **ORDERED** that Defendants shall file a motion compliant with D.C.COLO.LCivR 54.3 on or before **June 19, 2012**, for fees and costs incurred up to the filing of the instant Motion on April 25, 2012.

Dated: May 29, 2012