

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

Civil Case No. 11-cv-03257-REB-BNB

JAMES R. GONGAWARE, and
LIBERTY MUTUAL FIRE INSURANCE COMPANY, a Wisconsin corporation,

Plaintiffs,

v.

FERRELLGAS, INC., a Delaware corporation,
PW EAGLE, INC., a Minnesota corporation d/b/a JIM EAGLE, J-M MANUFACTURING
COMPANY, INC., a Delaware corporation d/b/a JIM EAGLE, UPONOR, INC., and
UPONOR NORTH AMERICA, INC., both d/b/a UPONOR ALDYL COMPANY, INC.,

Defendants.

ORDER

Blackburn, J.

The matters before me for consideration are (1) the **Dismissal of Plaintiff James R. Gongaware's Claims Against Defendant Ferrellgas With Prejudice** [#121]¹ filed November 30, 2012, which I construe as a stipulation to dismiss plaintiff Gongaware's claims against defendant, Ferrellgas, Inc.; and (2) the **Stipulation For Dismissal With Prejudice of All Claims Against PW Eagle, Inc., J-M Manufacturing Company, Inc., Uponor, Inc., and Uponor North American, Inc.** [#123] filed November 30, 2012. After reviewing the stipulations and the extant record, I conclude that the stipulations should be approved and that the claims by this plaintiff against these defendants should be dismissed with prejudice with all parties to bear their own

¹ "[#121]" 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.

attorney fees and costs.

THEREFORE, IT IS ORDERED as follows:

1. That the **Dismissal of Plaintiff James R. Gongaware's Claims Against Defendant Ferrellgas With Prejudice** [#121] filed November 30, 2012, is **APPROVED**;

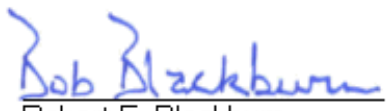
2. That the **Stipulation For Dismissal With Prejudice of All Claims Against PW Eagle, Inc., J-M Manufacturing Company, Inc., Uponor, Inc., and Uponor North American, Inc.** [#123] filed November 30, 2012, is **APPROVED**;

3. That the claims of plaintiff James R. Gongaware against defendants, Ferrellgas, Inc., a Delaware corporation; PW Eagle, Inc., a Minnesota corporation d/b/a JM Eagle; J-M Manufacturing Company, Inc., a Delaware corporation d/b/a JM Eagle, Uponor, Inc., and Uponor North American, Inc., both d/b/a Uponor Aldyl Company, Inc., are **DISMISSED WITH PREJUDICE** with all parties to bear their own attorney fees and costs; and

4. That by December 14, 2012, plaintiffs **SHALL IDENTIFY** the parties and claims remaining in this action, if any.

Dated December 4, 2012, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge