

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 12-cv-00441-RM

CAROL SONNENBERG,
MICHAEL SONNENBERG, and
AMERICAN FINANCIAL SECURITIES HOLDINGS, INC.,

Plaintiffs,

v.

ERIC DAVID SIPF,
STEPHEN S. S. HYDE,
STEPHEN O. JAMES,
DAVID BAKER,
TAMARA S. KEFFELER, and
FIRSTBANK HOLDING COMPANY,

Defendants,

and

ERIC DAVID SIPF,
STEPHEN S. S. HYDE, and
STEPHEN O. JAMES,

Third-Party Plaintiffs,

v.

JOHN C. HERBERS,
ROBERT RUIZ-MOSS,
JAMES LUBINSKI,
THOMAS KELLER,
CRAIG MAGNUSON, and
MAGNUM ACTUARIAL GROUP LLC,

Third-Party Defendants.

**ORDER GRANTING PLAINTIFFS' AND DEFENDANT STEPHEN O. JAMES'
MOTION TO DISMISS CERTAIN CLAIMS WITH PREJUDICE (ECF NO. 90)**

THIS MATTER comes before the Court on Plaintiffs' and Defendant Stephen O. James' Motion to Dismiss Certain Claims with Prejudice ("Motion") (ECF No. 90). No party has filed any response or objection to the Motion. Upon consideration of the Motion, it is

ORDERED that the Motion (ECF No. 90) is hereby GRANTED; and it is

FURTHER ORDERED that all of Plaintiffs' claims against Defendant Stephen O. James are DISMISSED with prejudice; and it is

FURTHER ORDERED that Defendant Stephen O. James' first and second third-party claims for relief against John C. Herbers, Robert Ruiz-Moss and James Lubrinski are DISMISSED with prejudice; and it is

FURTHER ORDERED that Defendant Stephen O. James' third third-party claim for relief against Thomas Keller, Craig Magnuson and Magnum Actuarial Group, LLC is DISMISSED with prejudice.

Each party as between them to bear their or its own costs.

This Order does not impact Plaintiffs' claims against any other party to this action or Defendant Stephen O. James' remaining third-party claims.

DATED this 14th day of June, 2013.

BY THE COURT:



RAYMOND P. MOORE
United States District Judge