

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 12-cv-01180-LTB

MICHAEL SHINN and
JENNIFER SHINN,

Plaintiffs,

v.

MARK W. MELBERG, M.D.,

Defendant.

ORDER

THIS MATTER having come before the Court on Defendant Mark W. Melberg, M.D.'s Unopposed Motion to Dismiss Plaintiffs' Fifth Claim for Relief - Outrageous Conduct Pursuant to F.R.C.P. 12(b)(6) or in the Alternative to Strike Pursuant to F.R.C.P. 12(f) (Doc 7)., it is

ORDERED that Plaintiff's Fifth Claim for Relief - Outrageous Conduct is DISMISSED WITHOUT PREJUDICE.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: June 13, 2012