

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 12-cv-01370-RPM

CITY CENTER WEST LP,

Plaintiff,

v.

AMERICAN MODERN HOME INSURANCE COMPANY,

DEFENDANT.

ORDER FOR DISMISSAL

Upon consideration of the defendant's motion to dismiss pursuant to Fed.R.Civ.P. 12(b)(6), filed July 5, 2012, the plaintiff's response filed July 19, 2012, and the defendant's reply, filed August 2, 2012, the Court concludes that the plaintiff's claim is barred by *Parrish Chiropractic Centers, P.C. v. Progressive Cas. Ins. Co.*, 874 P.2d (Colo. 19 1049 94) and it is therefore

ORDERED that the defendant's motion to dismiss is granted.

DATED: August 3rd, 2012

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge