

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

Civil Action No. 12-cv-01553-REB-KLM

THE PHOENIX INSURANCE COMPANY, a Connecticut insurance company, and
ST. PAUL SURPLUS LINES INSURANCE COMPANY, a Connecticut insurance
company,

Plaintiffs,

v.

TRINITY UNIVERSAL INSURANCE COMPANY OF KANSAS, a Kansas insurance
company,
TRINITY UNIVERSAL INSURANCE OF KANSAS, a Kansas insurance company,
TRINITY UNIVERSAL INSURANCE COMPANY, a Texas insurance company,
ZURICH AMERICAN INSURANCE COMPANY, a New York insurance company,
STATE FARM INSURANCE COMPANY, an Illinois insurance company,
THE CINCINNATI INSURANCE COMPANY, an Ohio insurance company,
MOUNTAIN STATES INSURANCE GROUP, a New Mexico insurance company,
CONTINENTAL WESTERN INSURANCE COMPANY, an Iowa insurance company,
and
COLORADO CASUALTY INSURANCE COMPANY, a Colorado insurance company,

Defendants.

**ORDER APPROVING VOLUNTARY DISMISSAL OF DEFENDANTS
THE CINCINNATI INSURANCE COMPANY AND
CONTINENTAL WESTERN INSURANCE COMPANY, ONLY**

Blackburn, J.

The following matters are before the court for consideration: (1) plaintiffs'

Voluntary Dismissal - The Cincinnati Insurance Company [#9]¹; and (2) plaintiffs'

Voluntary Dismissal - Continental Western Insurance Company [#10] both filed July

31, 2012. After reviewing the documents and the record, I conclude that the voluntary

¹ “[#9]” 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.

dismissals of The Cincinnati Insurance Company and Continental Western Insurance Company should be approved and plaintiffs' claims against these two defendants should be dismissed.

THEREFORE, IT IS ORDERED as follows:

1. That plaintiffs' **Voluntary Dismissal - The Cincinnati Insurance Company** [#9] filed July 31, 2012, is **APPROVED**;

2. That plaintiffs' claims against defendant The Cincinnati Insurance Company are **DISMISSED**;


3. That plaintiffs' **Voluntary Dismissal - Continental Western Insurance Company** [#10] filed July 31, 2012, is **APPROVED**;

4. That plaintiffs' claims against defendant Continental Western Insurance Company are **DISMISSED**; and

5. That defendants The Cincinnati Insurance Company and Continental Western Insurance Company are **DROPPED** as named parties to this action, and the case caption is amended accordingly.

Dated July 31, 2012, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge