

**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 FIRE AND CASUALTY COMPANY, an Illinois insurance company,  
MOUNTAIN STATES MUTUAL CASUALTY COMPANY, a New Mexico insurance  
company, and  
MOUNTAIN STATES INDEMNITY COMPANY, a New Mexico insurance company,

Defendants.

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**ORDER OF DISMISSAL AS TO DEFENDANT  
MOUNTAIN STATES INDEMNITY COMPANY, ONLY**

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**Blackburn, J.**

The matter is before me on the **Stipulation of Dismissal** [#57]<sup>1</sup> filed December 6, 2012. After reviewing the stipulation and the record, I conclude that the stipulation should be approved and that plaintiffs' claims against defendant Mountain States Indemnity Company should be dismissed without prejudice.

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<sup>1</sup> "[#57]" 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.

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Stipulation of Dismissal** [#57] filed December 6, 2012, is

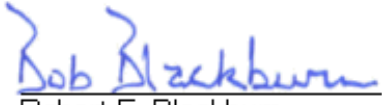
**APPROVED;**

2. That plaintiffs' claims against defendant Mountain States Indemnity Company are **DISMISSED WITHOUT PREJUDICE** with each of the affected parties to pay its own attorney fees and costs; and

3. That defendant Mountain States Indemnity Company is **DROPPED** as a named party to this action, and the case caption is amended accordingly.

Dated December 7, 2012, at Denver, Colorado.

**BY THE COURT:**

  
Robert E. Blackburn  
United States District Judge