

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

Civil Case No. 12-cv-01259-LTB-KLM (Consolidated w/12-cv-01805-LTB)

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, a Wisconsin corporation,

Plaintiff,

v.

JSM BUILDERS, INC., a Colorado corporation, and
CHADWICK PLACE AT STEAMBOAT HOMEOWNERS ASSOCIATION, INC., a Colorado
nonprofit corporation,

Defendants.

CHADWICK PLACE AT STEAMBOAT HOMEOWNERS ASSOCIATION, INC., a Colorado
nonprofit corporation,

Plaintiff,

vs.

JSM BUILDERS, INC.,

Defendants,

vs.

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, a Wisconsin corporation,

Garnishee.

ORDER

The Magistrate Judge has filed her Recommendation that the Motion of Plaintiff/Garnishee American Family for Summary Judgment (Doc 33) be granted and the Motion of Chadwick Place for Summary Judgment (Doc 34) be denied as moot. Chadwick

Place at Steamboat Homeowners Association has filed timely specific written objections to the Magistrate Judge's recommendation. Plaintiff American Family Mutual Insurance Company has filed a response to the objections of Steamboat Homeowners Association and Chadwick Place at Steamboat Homeowners Association has filed a reply to those objections. I have considered the Magistrate Judge's recommendations *de novo* in light of the file and record in this case and I conclude that the recommendations are correct. Accordingly

IT IS ORDERED that the Motion of American Family Mutual Insurance Company for Summary Judgment (Doc 33) is GRANTED and the Motion of Chadwick Place at Steamboat Homeowners Association for Summary Judgment (Doc 34) is DENIED AS MOOT. Summary judgment shall enter in favor of American Family Mutual Insurance Company and costs are awarded to American Family Mutual Insurance Company.

BY THE COURT:

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

DATED: September 9, 2014