

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01948-PAB-MEH

COLORADO SPRINGS ORTHOPAEDIC GROUP, a Colorado general partnership,
COLORADO SPRINGS SPINE, P.C., a Colorado professional corporation,
COLORADO SPRINGS ORTHOPAEDIC GROUP PROFIT-SHARING PLAN,
JAMES M. BEE, M.D., and
ROGER D. SUNG, M.D.,

Plaintiff,

v.

ASHLEY A. WIECHMANN, CPA, an individual,
WIECHMANN & ASSOCIATES, P.C., a Colorado professional corporation, and
WIECHMANN, BOYCE & ASSOCIATES, LLP, a Colorado limited liability partnership,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on April 22, 2013.

Before the Court is Plaintiffs'¹ Motion to Amend Caption [[filed April 8, 2013; docket #57](#)]. Having reviewed the motion and briefs, the Court **grants** what the Court construes as a request to correct a typographical error in a Plaintiff's name; that is, to remove the term "401(k)" from "Colorado Springs Orthopaedic Group 401(k) Profit-Sharing Plan." Throughout the operative pleading, this Plaintiff is consistently referred to as simply "the Plan." The Court perceives no prejudice to the Defendants, undue or otherwise, from the correction of this error.² The Clerk of the Court is directed to correct the Plaintiff's name as set forth in the caption above.

¹Although the motion was brought solely by Plaintiff Colorado Springs Orthopaedic Group 401(k) Profit-Sharing Plan, the other Plaintiffs joined in the motion on April 18, 2013. Reply, n.1, docket #61 at 1.

²Defendants argue in their motion to dismiss that the "401(k) Profit-Sharing Plan" is incorrectly named as a Plaintiff; however, the argument is merely collateral to Defendants' primary arguments concerning standing. See Motion, docket #56 at 12 ("Not only does the Plan not have standing under 1132(a)(2), but the Plan identified as a plaintiff in this case is not even the correct Plan, it is the predecessor plan.").