

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

Civil Action No. 12-cv-02518-RPM

MARVIN SCHWARTZ and  
GINA SCHWARTZ,

Plaintiffs,

v.

UNITED RAILROAD SERVICES COMPANY,

Defendant.

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ORDER DECLARING MOTION MOOT

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On June 14, 2013, the plaintiff filed a motion to strike regarding defendant's expert witness Holli L. Merchant and on July 12, 2013, the defendant confessed the motion and, accordingly, it is

ORDERED that the motion [32] is moot.

Dated: July 15<sup>th</sup>, 2013

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge