

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

Civil Action No. 12-cv-03235-REB-BNB

AURORA COMMERCIAL CORP.,

Plaintiff,

v.

PARAMOUNT RESIDENTIAL MORTGAGE GROUP, INC.,

Defendant.

**ORDER ADOPTING RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

The matter before me is the **Recommendation of United States Magistrate Judge** [#56],¹ filed March 17, 2014. No objections having been filed to the recommendation, I review it only for plain error. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10th Cir. 2005).

Finding no error, much less plain error, in the magistrate judge's recommended disposition, I find and conclude that recommendation should be approved and adopted. It appears clear to this court, as it did to the magistrate judge, that the parties verbally reached a settlement sufficiently specific in all essential terms to be enforceable. Defendant's subsequent change of heart provides no grounds for it to avoid that agreement.

¹ "[#56]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

THEREFORE, IT IS ORDERED as follows:

1. That the **Recommendation of United States Magistrate Judge** [#56], filed March 17, 2014, is **APPROVED AND ADOPTED** as an order of this court;
2. That **Plaintiff's Motion To Enforce Settlement** [#48], filed February 18, 2014, is **GRANTED**;
3. That **Defendant's Motion for Summary Judgment** [#44], filed January 31, 2014, is **DENIED AS MOOT**;
4. That all pretrial deadlines, the combined Final Pretrial Conference and Trial Preparation Conference, set **Friday, May 2, 2014, at 10:00 a.m.**, and the bench trial, scheduled to commence **May 5, 2014**, are **VACATED**; and
5. That this case is **DISMISSED WITH PREJUDICE**, subject to the lump sum payment of \$80,000 from defendant to plaintiff and delivery to defendant by plaintiff of a general release of all claims.

Dated April 10, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge