

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 13-cv-00091-REB-KMT

LEHMAN BROTHERS HOLDINGS, INC.,

Plaintiff,

v.

UNIVERSAL AMERICAN MORTGAGE COMPANY, LLC,

Defendant.

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**FINAL JUDGMENT**

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This **Final Judgment** is entered pursuant to Fed. R. Civ. P. 58(a) and in accordance with the **Order Re: Cross-motions for Summary Judgment** [#82] entered by Judge Robert E. Blackburn on January 27, 2014, which order is incorporated herein by this reference.

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

1. That **Universal's Motion for Summary Judgment** [#57], filed November 21, 2013, is **GRANTED IN PART** and **DENIED AS MOOT IN PART** as follows:
  - a. That the motion is **GRANTED** to the extent it contends that plaintiff's claims are barred by limitations; and
  - b. That in all other respects, the motion is **DENIED AS MOOT**;
2. That **Plaintiff's Motion for Partial Summary Judgment** [#55], filed November 4, 2013, is **DENIED**;
3. That **Plaintiff's Motion To Exclude Defendant's Expert and Strike**

**Defendant's Expert Report** [#56], filed November 7, 2013, is **DENIED AS MOOT**;

4. That **Plaintiff's Motion for Leave To File Surreply to Defendant's Reply in Support of Defendant's Motion for Summary Judgment** [#70], filed January 8, 2014, is **DENIED**;

5. That plaintiff's claim against defendant for breach of contract is **DISMISSED WITH PREJUDICE** as barred by limitations;

6. That **JUDGMENT with prejudice IS ENTERED** in favor of defendant, Universal American Mortgage Company, LLC, against plaintiff, Lehman Brothers Holdings, Inc., on all claims for relief and causes of action asserted in this action;

7. That the defendant is **AWARDED** its costs to be taxed by the Clerk of the Court pursuant to Fed.R.Civ.P. 54(d)(1) and D.C.COLO.LCivR 54.1.

DATED at Denver, Colorado, this 28<sup>th</sup> day of January, 2014.

FOR THE COURT:

Jeffrey P. Colwell, Clerk

By: s/Kathleen Finney  
Kathleen Finney  
Deputy Clerk