

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Senior Judge Wiley Y. Daniel**

Civil Action No. 13-cv-0285-WYD-NYW

STEPHEN W. BRISCOE;  
CONTINUUM HEALTH PARTNERSHIPS, INC.;  
CONTINUUM HEALTH MANAGEMENT, LLC; and,  
MOUNTAIN STATES HEALTH PROPERTIES, LLC,

Plaintiffs,

v.

SYLVIA M. BURWELL, in her official capacity as Secretary of the United States  
Department of Health and Human Services;  
THOMAS E. PEREZ, in his official capacity as Secretary of the United States  
Department of Labor;  
JACOB LEW, in his official capacity as Secretary of the United States Department of the  
Treasury;  
UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES;  
UNITED STATES DEPARTMENT OF LABOR; and,  
UNITED STATES DEPARTMENT OF THE TREASURY,

Defendants.

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**ORDER AFFIRMING AND ADOPTING RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

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THIS MATTER is before the Court in connection with Magistrate Judge Nina Y. Wang's *sua sponte* Recommendation of United States Magistrate Judge (ECF No. 77) ("Recommendation"), issued on April 25, 2016, which is incorporated herein by reference. See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b). Magistrate Judge Wang recommends that the above referenced case be closed due to the resolution of all claims.

On January 27, 2015, as part of an Injunction and Partial Judgment, I ordered the parties to file a joint status report no later than March 2, 2015. The parties failed to issue a status report by the ordered deadline. Magistrate Judge Wang issued an Order to Show Cause on April 5, 2016, ordering the parties to either file appropriate dismissal papers or for Plaintiffs to show cause why the matter should not be dismissed. On April 12, 2016, the parties filed a Joint Status Report, agreeing that judgment or dismissal had already been entered and that the parties had settled attorney's fees and costs between themselves. Judge Wang then issued the Recommendation that the case be closed.

Having reviewed the Recommendation, I agree with Magistrate Judge Wang's recommendation that the case be closed. Accordingly, it is

ORDERED that the Recommendation of United States Magistrate Judge dated April 25, 2016 (ECF No. 77) is **AFFIRMED and ADOPTED**. The above referenced case is hereby closed due to the resolution of all claims, and the parties have agreed that all attorney's fees and costs have been settled between them. It is

FURTHER ORDERED that the Clerk of Court shall close the case.

Dated: May 3, 2016

BY THE COURT:

s/ Wiley Y. Daniel  
Wiley Y. Daniel  
Senior United States District Judge