

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

Civil Action No: 13-cv-00287 - RPM

KEVIN D. JOHNSTON,

Plaintiff,

v.

LIFE INSURANCE COMPANY OF NORTH AMERICA

Defendant.

Order Re Unopposed Motion to Dismiss ERISA Penalty Claim

THE COURT, having reviewed Plaintiff's Unopposed Motion to Dismiss ERISA Penalty Claims, and being fully advised in the premises, orders as follows:

The Court grants said Motion. All claims for violation of ERISA statutory penalties asserted by Plaintiff in his Complaint are dismissed.

Dated: July 15th, 2013

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge,
U.S. District Court, District of Colorado