

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

Civil Action No. 13-cv-00507-REB-BNB

THE PHOENIX INSURANCE COMPANY,  
THE TRAVELERS INDEMNITY COMPANY, and  
TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA,

Plaintiffs,

v.

CANTEX, INC.,  
CONCRETE MANAGEMENT CORP.,  
LANDMARK AMERICAN INSURANCE COMPANY,  
OLD REPUBLIC INSURANCE COMPANY,  
RBR CONSTRUCTION, INC.,

Defendants,

and

OLD REPUBLIC INSURANCE COMPANY,

Third Party Plaintiff,

v.

CONTINENTAL INSURANCE COMPANY,  
AMERICAN INSURANCE COMPANY,  
LANDMARK AMERICAN INSURANCE COMPANY, and  
AMERISURE INSURANCE COMPANY,

Third Party Defendants.

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**ORDER OF DISMISSAL OF THIRD PARTY CLAIMS OF OLD REPUBLIC  
INSURANCE COMPANY AGAINST THIRD-PARTY DEFENDANT CONTINENTAL  
INSURANCE COMPANY, ONLY**

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**Blackburn, J.**

The matter is before the court on the **Stipulation of Dismissal Between**

**ORIC and Continental Only** [#125]<sup>1</sup> filed August 25, 2014. After reviewing the stipulation and the record, I conclude that the stipulation should be approved and that the third-party claims of third-party plaintiff, Old Republic Insurance Company, against third-party defendant, Continental Insurance Company, should be dismissed with each affected party to pay its own attorney fees and costs.

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

1. That the **Stipulation of Dismissal Between ORIC and Continental Only** [#125] filed August 25, 2014, is **APPROVED**;

2. That the third-party claims of third-party plaintiff, Old Republic Insurance Company, against third-party defendant, Continental Insurance Company, are **DISMISSED**, with each of the affected parties to pay its own attorney fees and costs; and

3. That third-party defendant, Continental Insurance Company, is **DROPPED** as a named party to this action, and the case caption is amended accordingly.

Dated August 25, 2014, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge

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<sup>1</sup> “[#125]” 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.