

**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.

ORDER

Blackburn, J.

The matter is before the court on **Plaintiffs' Motion to Amend Order of Dismissal of Third Party Claims of Old Republic Insurance Company Against Third Party Defendant Continental Insurance Company, Only** [#132],¹ filed August 26, 2014. After reviewing the motion and the record, I conclude that the motion should be granted.

THEREFORE, IT IS ORDERED as follows:

¹ "[#132]" 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.

1. That **Plaintiffs' Motion to Amend Order of Dismissal of Third Party Claims of Old Republic Insurance Company Against Third Party Defendant Continental Insurance Company, Only** [#132], filed August 26, 2014, is **GRANTED**;

2. That the court's **Order of Dismissal of Third Party Claims of Old Republic Insurance Company Against Third-Party Defendant Continental Insurance Company, Only** [#128], filed August 25, 2014, is **AMENDED** and that the following language shall be substituted for paragraph 2 of the order:

“2. That the third-party claims of third-party plaintiff, Old Republic Insurance Company, against third-party defendant, Continental Insurance Company, are **DISMISSED** and that the third-party counterclaims filed by third-party defendant, Continental Insurance Company, against third-party plaintiff, Old Republic Insurance Company are **DISMISSED**;”²

3. That the **Order of Dismissal of Third Party Claims of Old Republic Insurance Company Against Third-Party Defendant Continental Insurance Company, Only** [#128], filed August 25, 2014, is further **AMENDED** to delete paragraph 3, which drops Continental Insurance Company as a party to this action;

4. That Continental Insurance Company is **REINSTATED** as a party defendant to this action; and

² It appears that the entry of this order resolves all third-party claims and counterclaims.

5. That by **September 29, 2014**, the parties **SHALL FILE** a joint status report identifying the parties and claims remaining in this lawsuit.

Dated August 28, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge