

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

Civil Action No. 13-cv-03112-REB-KLM

BIRD DOG, LLC, and
COURTNEY PHILLIPS, an individual,

Plaintiffs,

v.

LIBERTY CHEVROLET INC.,

Defendant/Third-Party Plaintiff,

v.

DEALERACTIVE, LLC n/k/a Interactive Media
Group, LLC, a North Carolina Company,

Third-Party Defendant.

ORDER OF DISMISSAL

Blackburn, J.

The matter is before me on the **Joint Stipulation of Dismissal of Plaintiffs' Claims** [#45]¹ filed November 6, 2014 and the **Joint Stipulated Motion For Dismissal With Prejudice** [#46] filed December 22, 2014. After reviewing the stipulation, the motion, and the record, I conclude that the stipulation should be approved and the stipulated motion should be granted and that this action should be dismissed with prejudice with the parties to pay their own attorney fees and costs.

¹ “[#45]” 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.

THEREFORE, IT IS ORDERED as follows:

1. That the **Joint Stipulation of Dismissal of Plaintiffs' Claims** [#45]² filed November 6, 2014 is **APPROVED**; and
2. That the **Joint Stipulated Motion For Dismissal With Prejudice** [#46] filed December 22, 2014 is **GRANTED**;
2. That all extant pretrial deadlines are **VACATED**;
3. That all pending motions, including but not limited to **DealerActive's Motion To Dismiss Liberty Chevrolet's First, Second, Third, and Fourth Claims for Relief in Its Third-Party Complaint** [#19] filed April 11, 2014, are **DENIED AS MOOT**;
4. That the combined Trial Preparation/Final Pretrial Conference set February 27, 2015, is **VACATED**;
5. That the jury trial, set to commence March 16, 2015, is **VACATED**; and
6. That this action is **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs.

Dated December 29, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge

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