

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

Civil Action No. 13-cv-03344-REB-MEH
(Consolidated with 14-cv-00425-REB-MEH)

DAVID L. HILDEBRAND,

Plaintiff/Counter Defendant,

v.

CITY OF BOULDER,

Defendant, and

MONROE TRUCK EQUIPMENT,

Defendant/Counter Claimant.

MINUTE ORDER¹

Blackburn, J.

This matter is before me on the **Plaintiff's Motion To Dismiss the City of Boulder From This Case** [#52]² filed February 6, 2015. The motion is denied without prejudice.

The plaintiff indicates in his motion that he and the City of Boulder have reached a settlement. However, the plaintiff does not provide in the motion a statement or certificate concerning his effort to confer with defendant the City of Boulder concerning the motion, as required by D.C.COLO.LCivR 7.1(a). Presumably, the City of Boulder does not object to the motion, but I may not rely on this presumption. Rather, the plaintiff must file a motion which includes a statement or certificate, as required by D.C.COLO.LCivR 7.1(a).

After reviewing the motion, the file, and the record, it is

ORDERED that the **Plaintiff's Motion To Dismiss the City of Boulder From This Case** [#52] filed February 6, 2015, is **DENIED** without prejudice.

Dated: February 9, 2015.

¹ This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.

² "[#52]" 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.