

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

Civil Action No. 14-cv-00135-REB-KLM

HEALTHTRIO, LLC, a Colorado limited liability company,

Plaintiff,

v.

TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA, a Connecticut corporation,

Defendant.

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**ORDER OF DISMISSAL**

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**Blackburn, J.**

The matter before me is the **Stipulation for Dismissal With Prejudice** [#133],<sup>1</sup> filed February 26, 2015. After careful review of the stipulation and the file, I conclude that the stipulation should be approved and that this action should be dismissed with prejudice.

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

1. That the **Stipulation for Dismissal with Prejudice** [#133], filed February 26, 2015, is **APPROVED**;
2. That all currently pending motions are **DENIED AS MOOT**, including, but not limited to, the following:
  - a. **Defendant's Motion for Partial Summary Judgment** [#28], filed April 25, 2014;
  - b. **Defendant's Motion for Summary Judgment Dismissing All Claims** [#93], filed November 25, 2014;

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<sup>1</sup> “[#133]” 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.

c. **Defendant's Motion To Exclude the Testimony of R. Hugh Lumpkin Under Federal Rule of Evidence 702** [#113], filed January 7, 2015; and

d. **Plaintiff's F.R.E. 702/Daubert and Related Challenges to Testimony of Defendant's Putative Expert Witnesses** [#114], filed January 7, 2015;

3. That the objections stated in **Plaintiff's Objections to Magistrate Judge's Order Dated December 24, 2014** [#117], filed January 9, 2015, are **OVERRULED AS MOOT**;

4. That the **Recommendation of United States Magistrate Judge** [#121], filed January 20, 2015, respectfully, is **REJECTED AS MOOT**; and

5. That this action is **DISMISSED WITH PREJUDICE**, with the parties to pay their own attorney fees and costs.

Dated February 27, 2015, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge