

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 14-cv-00286-RPM

CINCINNATI INSURANCE COMPANY,
as subrogee of Landmark Towers Condominium
Association, Inc.,

Plaintiff,

v.

SCHMIDT & STACY CONSULTING ENGINEERS, INC.
and TOTAL PLUMBING, INC., a/k/a TOTAL PLUMBING & HEATING,

Defendants.

**ORDER DENYING VOLUNTARY DISMISSAL OF CLAIMS AGAINST DEFENDANT
SCHMIDT & STACY CONSULTING ENGINEERS, INC.**

Today the plaintiff filed a motion to dismiss all claims against Defendant Schmidt & Stacy Consulting Engineers, Inc., without prejudice under Fed.R.Civ.P. 41. The rule is not applicable because the defendant has appeared and participated in these proceedings. Accordingly, under Rule 41(a)(1)(A)(ii), a stipulation of dismissal signed by all parties that have appeared is required. Accordingly, it is

ORDERED that dismissal is not granted.

Dated: March 24th, 2015.

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge