

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 14-cv-00296-CMA-CBS

JEFFREY A. WEINMAN,

Plaintiff,

v.

MICHAEL J. MCCLOSKEY, et al.

Defendant(s).

**ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION TO PARTIALLY
RECONSIDER ORDER GRANTING IN PART AND DENYING IN PART DIRECTOR
DEFENDANTS' MOTION TO DISMISS**

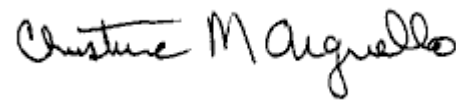
This matter is before the Court on Plaintiff's Unopposed Motion to Partially Reconsider Order Granting in Part and Denying in Part Director Defendants' Motion to Dismiss (Doc. # 134.)

In the Fourth Amended Complaint, Plaintiff asserted claims arising from two transactions: the sale of the Trust Business and the sale of the Viatical Business. This Court denominated the sale of the Trust Business as "the 2009 Distribution" and the sale of the Viatical Business as "the 2011 Distribution." In its Order Granting in Part and Denying in Part Director Defendants' Motion to Dismiss, the Court dismissed the claims relating to the 2011 Distribution, and in doing so, dismissed Defendant Directors Theodore Abariotes and Paul Maxwell, believing both were involved solely in the 2011 distribution. (Doc. # 132 at 25.) However, having been advised that Defendant Maxwell

was a Director who was allegedly involved in the 2009 Distribution, the Court GRANTS Plaintiff's Motion and ORDERS that Paul Maxwell shall remain a Defendant in this matter.

DATED: April 15, 2015

BY THE COURT:

A handwritten signature in black ink that reads "Christine M. Arguello". The signature is written in a cursive style with a horizontal line underneath it.

CHRISTINE M. ARGUELLO
United States District Judge