

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

Civil Action No. 14-cv-00808-CMA-CBS (Consolidated for all purposes with
Civil Action No. 14-cv-01025-CMA-CBS)

BILLIE SPRAGUE,

Plaintiff,

v.

MICHAELS STORES, INC., a Delaware corporation, and
THE GERSON COMPANY, a Missouri corporation,

Defendants.

ORDER REGARDING PLAINTIFF'S COUNTS FOR BREACH OF WARRANTIES

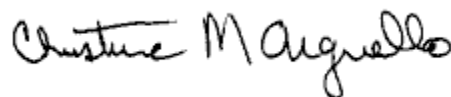
Pursuant to the parties' Joint Stipulation to Dismiss Plaintiff's Counts for Breach of Warranties (Doc. # 34), it is

ORDERED that Counts III and VII of these consolidated case are DISMISSED, each party to bear his or its own costs and attorney fees with respect to the counts for breach of warranties. Plaintiff's remaining counts in these consolidated cases shall remain pending. It is

FURTHER ORDERED that Defendants' Motion to Dismiss Plaintiff's Breach of Warranties Claim (Doc. # 32) is DENIED AS MOOT.

DATED: June 04, 2014

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge