

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

Civil Action No. 14-cv-01580-REB-KLM

AUTO-OWNERS INSURANCE COMPANY, a Michigan corporation,

Plaintiff,

v.

NEXT GENERATION ENERGY, LLC, a Colorado limited liability company,  
KREUTZMAN CONSTRUCTION, INC., a Colorado corporation, and  
DAVID KREUTZMAN, an individual,

Defendants.

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**ORDER OF DISMISSAL**

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**Blackburn, J.**

The matter is before me on the **Joint Stipulation for Dismissal with Prejudice** [#68]<sup>1</sup> filed September 24, 2015. After careful review of the stipulation and the file, I conclude that the stipulation should be approved and that the parties' respective claims against each other should be dismissed with prejudice.

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

1. That the **Joint Stipulation for Dismissal with Prejudice** is approved;
2. That the claims of the plaintiff against defendants, David Kreutzman, Next Generation Energy, LLC, and Kreutzman Construction, Inc. ("Kreutzman Defendants"), are dismissed with prejudice;
3. That the counterclaims of the defendant, Next Generation Energy, LLC, and

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<sup>1</sup> "[#68]" 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.

the Kreutzman Defendants against the plaintiff, Auto-Owners Insurance Company, are dismissed with prejudice;

4. That the combined Trial preparation Conference and Final Pretrial Conference set October 16, 2015, is vacated;

5. That the trial by jury set to commence November 2, 2015, is vacated;

6. That the parties shall pay their own attorney fees and costs;

7. That the **Joint Motion To Vacate and Reset the Trial Date and Motion To Vacate and Reset the Final Pretrial Hearing** [#61] filed July 21, 2015, is denied as moot; and

8. That this case is closed.

Dated September 30, 2015, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge