

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

Civil Action No. 14-cv-02112-REB-KLM

SOPHIA CLAIRE DE ARMENT,

Plaintiff,

v.

AETNA LIFE INSURANCE COMPANY,

Defendant.

MINUTE ORDER¹

The matters before the court are: (1) **Aetna's Motion To Dismiss** [#12]² filed August 27, 2014; and (2) the **Recommendation of United States Magistrate Judge** [#36] filed November 10, 2014. The motion to dismiss addresses only the claim of the plaintiff under §10-3-1115, C.R.S., as asserted in her complaint [#4].

In the recommendation [#36], the magistrate judge recommends that the motion to dismiss be granted as to the claim of the plaintiff under §10-3-1115, C.R.S. Rather than file an objection to the recommendation [#36], the plaintiff filed an amended complaint [#42] asserting claims under Washington law instead of Colorado law. The plaintiff no longer asserts a claim under §10-3-1115, C.R.S. The amended complaint [#42] renders moot both **Aetna's Motion To Dismiss** [#12] and the **Recommendation of United States Magistrate Judge** [#36]. After reviewing the motion, the file, and the record, it is

ORDERED as follows:

1. That **Aetna's Motion To Dismiss** [#12] filed August 27, 2014, is denied as moot; and
2. That the **Recommendation of United States Magistrate Judge** [#36] filed November 10, 2014, is terminated on the docket of the court.

Dated: March 16, 2015.

¹ This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.

² “[#12]” 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.