

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

Civil Action No. 14-cv-02513-REB-MJW

BRANZAN ALTERNATIVE INVESTMENT FUND, LLLP, on behalf of itself and all others similarly situated,

Plaintiff,

v.

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.,

Defendant.

FINAL JUDGMENT

In accordance with the orders filed during the pendency of this case, and pursuant to Fed. R. Civ. P. 58(a), the following Final Judgment is hereby entered.

Pursuant to the **Order Adopting Recommendation of the United States Magistrate Judge** [#89] of Judge Robert E. Blackburn entered on February 4, 2016, it is

ORDERED that Counts 2 and 5 of the complaint are dismissed with prejudice; it is

ORDERED that judgment with prejudice enters as follows:

- as to Counts 2 and 5 on behalf of defendant The Bank of New York Mellon Trust Company, N.A., and against plaintiff, Branzen Alternative Investment Fund, LLLP, on behalf of itself and all others similarly situated; and
- in accordance with my **Order Overruling Objections to and Adopting Recommendation of United States Magistrate Judge ¶ 6 at 8** [#76], filed September 29, 2015; it is

ORDERED that defendants are awarded their costs, to be taxed by the clerk of the court pursuant to Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.

Dated at Denver, Colorado this 5th day of February, 2016.

FOR THE COURT:
JEFFREY P. COLWELL, CLERK

By: s/ K. Finney

K. Finney
Deputy Clerk