

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Judge John L. Kane

Civil Action No. **14-cv-02955-JLK**

DONALD E. FYMBO, d/b/a Fymbo & Associates,
individually and as the assignee of the claims of Dr. Mary Harrow

Plaintiff,

v.

USAA PROPERTY AND CASUALTY INSURANCE COMPANY

Defendant.

ORDER

Kane, J.

This matter is currently before me on Defendant's Motion to Dismiss (Doc. 15) and Plaintiff's Motion to Allow the Filing of Plaintiff's First Amended Complaint (Doc. 17). Defendant having consented to Plaintiff's motion to amend his complaint, *see* Defendant's Reply in Support of Motion to Dismiss (Doc. 18) at 1, Plaintiff's Motion to Allow the Filing of Plaintiff's First Amended Complaint (Doc. 17) is GRANTED and Defendant's Motion to Dismiss (Doc. 15) is DENIED AS MOOT.

Dated: January 2, 2015

/s/John L. Kane
SENIOR U.S. DISTRICT JUDGE