

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-0460-WYD-NYW

JODY BLATCHLEY and DELFINA BLATCHLEY

Plaintiffs,

v.

RICHARD CUNNINGHAM, M.D.;  
PETER JANES, M.D.;  
TODD WILLIAM PETERS, M.D.;  
MATTHEW CAIN, PA-C;  
TIMOTHY SMITH, PA-C;  
CAMERON YOUNGBLOOD, PA-C;  
ST. ANTHONY SUMMIT MEDICAL CENTER;  
VAIL-SUMMIT ORTHOPAEDICS, P.C.;

Defendants.

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**ORDER**

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On September 28, 2015, Plaintiffs and Defendant Todd William Peters, M.D. jointly filed a Stipulated Motion for Dismissal Without Prejudice (ECF No. 97), indicating that each party shall bear their own costs and attorneys' fees incurred with respect to the claims dismissed.

The Stipulation for Dismissal (ECF No. 97) is hereby **APPROVED**. All claims against Defendant Todd William Peters, M.D. in this matter are **dismissed without prejudice**, and the parties shall bear their own fees and costs.

On August 18, 2015, Defendant Todd William Peters, M.D. filed a Motion to Dismiss the claims against him in this matter (ECF No. 72). Since the above-referenced Stipulated Motion for Dismissal Without Prejudice against this Defendant is approved, the

Defendant's Motion to Dismiss (ECF No. 72) is hereby **DENIED as moot**. The Clerk of the Court is directed to modify the caption in this matter and remove Defendant Todd William Peters, M.D.

Dated: October 6, 2015.

BY THE COURT:

s/ Wiley Y. Daniel  
WILEY Y. DANIEL,  
SENIOR UNITED STATES DISTRICT JUDGE