

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

Civil Action No. 15-cv-00486-REB-MEH

DAVID L. HILDEBRAND,

Plaintiff,

v.

HENDERSON TRUCK EQUIPMENT,
HENDERSON PRODUCTS,

Defendants.

MINUTE ORDER¹

This matter is before the court on the following: (1) **Douglas Dynamics' Fed. R. Civ. P. 12 Motion To Dismiss** [#28]² filed March 31, 2015; (2) the **Colorado Department of Transportation's Motion To Dismiss** [#36] filed April 1, 2015; (3) the **Recommendation of United States Magistrate Judge** [#79] filed May 22, 2015; and (4) the **Recommendation of United States Magistrate Judge** [#80] filed May 22, 2015.

Shortly after the magistrate judge filed his recommendations, the plaintiff filed motions [#84 & #85] voluntarily dismissing his claims against Douglas Dynamics and the Colorado Department of Transportation. Both motions were granted and these defendants were dismissed. *Orders* [#88 & #89]. As a result, the two motions to dismiss are moot. The two recommendations of the magistrate judge, which address the motions to dismiss, must be terminated as pending matters on the docket. After reviewing the motion, the file, and the record, it is

ORDERED as follows:

1. That **Douglas Dynamics' Fed. R. Civ. P. 12 Motion To Dismiss** [#28] filed March 31, 2015, is denied as moot;

2. That the **Colorado Department of Transportation's Motion To Dismiss** [#36] filed April 1, 2015, is denied as moot;

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 “[#28]” 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.

3. That the **Recommendation of United States Magistrate Judge** [#79] filed May 22, 2015, is terminated as a pending matter on the docket; and

4. That the **Recommendation of United States Magistrate Judge** [#80] filed May 22, 2015, is terminated as a pending matter on the docket.

Dated: March 16, 2016.