

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 16-cv-00412-RPM

CERTAIN UNDERWRITERS AT LLOYD'S LONDON WHO
SUBSCRIBED TO POLICY NO. PG1ARK00201-04,

Plaintiffs,

v.

AMINOKIT LABORATORIES, INC., a Colorado Corporation;
TAMEA RAE SISCO, a natural person;
JONATHAN LEE, MD, a natural person;
LEO RUNNELS, a natural person;
DENNIS THOMPSON, DC, a natural person; and
NCMIC INSURANCE COMPANY, an Iowa Corporation;

Defendants.

ORDER DENYING MOTION TO DISMISS PURSUANT TO Fed. R. Civ. P. 12(b)(6)

On April 14, 2016, the defendants Aminokit Laboratories, Inc.; Tamea Rae Sisco and Leo Runnels filed a motion to dismiss the Amended Complaint pursuant to Rule 12(b)(6). (Doc. 26). The motion is based on a purported agreement not to pursue this case in connection with a settlement of the underlying lawsuit. Those are matters outside the allegations of the Amended Complaint and may not be considered under Rule 12(b)(6). Accordingly, it is

ORDERED that the motion is denied.

DATED: April 27th, 2016

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge