

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 07-80112-CIV-HURLEY

LAFARGE NORTH AMERICA, INC.,  
a Maryland corporation,  
Plaintiff,

vs.

MATRACO-COLORADO, INC., and  
JOHN F. WALKER,  
Defendants.

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**ORDER DENYING MOTIONS AS MOOT**

**THIS CAUSE** is before the court upon the parties' stipulation for withdrawal of motions to tax costs [DE#295]. In light of this stipulation, and Magistrate Judge Ann E. Vitunac's recommended disposition of the motions as moot [DE# 296] it is

**ORDERED AND ADJUDGED:**

1. The report and recommendation of the Magistrate Judge [DE#296] is accepted.
2. The plaintiff/counter-defendant's verified motion to tax costs [DE# 289] is **DENIED as MOOT**, and the defendant/counter-claimant's verified motion to tax costs [DE# 287] is **DENIED as MOOT**.

**DONE AND ORDERED** in Chambers at West Palm Beach, Florida this 21<sup>st</sup> day of May, 2009.

  
Daniel T. K. Hurley  
United States District Judge

cc. all counsel