

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED FIRE & CASUALTY
COMPANY,

Plaintiff/Counterclaim
Defendant,

vs.

KINKAID CIVIL CONSTRUCTION
LLC,

Defendants/
Counterclaimant.

CV 17-103-BLG-TJC

**ORDER OF DISMISSAL
WITH PREJUDICE ONLY
AS TO COUNTS II AND III
OF THE COUNTERCLAIM
AND CERTAIN CLAIMS
WITHIN COUNT I OF THE
COUNTERCLAIM**

Pursuant to the parties' unopposed motion to dismiss certain claims and counts with prejudice (Doc. 86), and good cause appearing,

IT IS HEREBY ORDERED that Counts II and III of Kinkaid Civil Construction, LLC's Counterclaim are dismissed with prejudice, with each party to bear its own attorneys' fees and costs.

DATED this 16th day of August, 2019.



TIMOTHY J. CAVAN
United States Magistrate Judge