

**FILED**

NOV 16 2018

Clerk, U S District Court  
District Of Montana  
Billings

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

JEFFREY W. BERGER, TAMI M.  
BERGER, WIBAUX 1, LLC, AND  
PRO-FRAC HEATING &  
TRUCKING, LLC,

Plaintiffs,

vs.

BANK OF COLORADO,

Defendant.

CV 1:17-104-BLG-SPW-TJC

ORDER

Upon the parties' Stipulated Motion to Dismiss Case with Prejudice (Doc. 53), by and between their counsel of record, and for good cause being shown,

IT IS HEREBY ORDERED that the above-entitled cause is **DISMISSED WITH PREJUDICE.**

IT IS FURTHER ORDERED that any pending motions are **DENIED** as moot.

DATED this 15<sup>th</sup> day of November, 2018.



SUSAN P. WATTERS  
U. S. DISTRICT JUDGE