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| DISTRICT COURT, ADAMS COUNTY, COLORADO  1100 Judicial Center Drive Brighton, CO 80601  **Plaintiff:**  American Family Mutual Insurance Company, As Subrogee of Kathryn Windt, | DATE FILED: February 6, 2017 3:00 P FILING ID: C16052FCCDEFE  CASE NUMBER: 2015CV31808   * COURT USE ONLY  |
| v. |  |
|  | Case Number: 2015CV31808 |
| **Defendants/Third Party Plaintiffs:**  Ivonne Becerril and Aurelio Meza-Cuevas, |  |
| v. | Div.: W Ctrm.: |
| **Third Party Defendant/Counterclaimant:** |  |
| Kathryn Windt |  |
| **Attorneys for Defendants Becerril and Meza-Cuevas**  Jeffrey Clay Ruebel Casey A. Quillen Ruebel & Quillen, LLC  8501 Turnpike Drive, Ste 106  Westminster, Colorado 80031  Phone Number: (888) 989-1777  FAX Number: (303) 362-5724  E-mail: [Jeffrey@rq-law.com](mailto:Jeffrey@rq-law.com) [casey@rq-law.com](mailto:casey@rq-law.com) |  |
| **MOTION FOR DISMISSAL OF AMERICAN FAMILY CLAIMS AND BECERRIL/MEZA-CUEVAS’ PROPERTY DAMAGE CLAIMS AGAINST KATHRYN WINDT** | |

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Plaintiff AMERICAN FAMILY MUTUAL INSURANCE COMPANY (“Plaintiff

American Family”), and Defendants Ivonne Becerril and Aurelio Meza-Cuevas (“Defendants”), and Third Party Defendant Kathryn Windt, by and through counsel of record, hereby stipulate and agree that all claims of Plaintiff American Family asserted in this action against Defendants; and all claims of Defendants for property damage asserted against Third Party Defendant Kathryn Windt can be dismissed, with prejudice, each party to pay its own costs and attorney’s fees.

The parties represent to the Court that they have agreed to the dismissal of the specific claims set forth above with prejudice, but that the claims of Third Party Defendant Kathryn Windt for personal injury should not be dismissed.

Further, all parties have further agreed that each party shall pay its own costs and attorneys’ fees in connection with the claims being dismissed by this Stipulation. It is further stipulated that the Court may enter an Order in accordance with this stipulation without further application of any party and without further notice.

Respectfully submitted this 6th day of February, 2017.

MEGAN FOUNTAIN LAW OFFICES OF DAVID B. PERRY

By: By: Megan Fountain David B Perry

Attorney for Third Party Defendant Attorney for Plaintiff

Kathryn Windt American Family Mutual Insurance Company

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the foregoing Motion for Dismissal was E-Served by the Court-authorized E-System provider, to the following on this 6th day of February, 2017:

All counsel of record

*/s/ Jeffrey Clay Ruebel*

Jeffrey Clay Ruebel