

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

August 26, 2022

**Christopher M. Wolpert
Clerk of Court**

REBECCA SMITH; ELLEN LARSON;
JUSTINE LUND; JAIME BEARD;
JARED BEARD, individually and on
behalf of all others similarly situated,

Plaintiffs - Appellees,

v.

THE ALIERA COMPANIES, INC., a
Delaware corporation, f/k/a Alieria
Healthcare Inc.,

Defendant - Appellant,

and

TRINITY HEALTHSHARE INC., a
Delaware corporation, et al.,

Defendants.

No. 21-1185
(D.C. No. 1:20-CV-02130-RBJ)
(D. Colo.)

REBECCA SMITH; ELLEN LARSON;
JUSTINE LUND; JAIME BEARD;
JARED BEARD, individually and on
behalf of all others similarly situated,

Plaintiffs - Appellees,

v.

ONESHARE HEALTH LLC, f/k/a Unity
Healthshare, LLC and as Kingdom
Healthshare Ministries, LLC, a Virginia
limited liability corporation,

No. 21-1186
(D.C. No. 1:20-CV-02130-RBJ)
(D. Colo.)

Defendant - Appellant,

and

THE ALIERA COMPANIES, INC., a
Delaware corporation, f/k/a Alieria
Healthcare Inc., et al.,

Defendants.

REBECCA SMITH; ELLEN LARSON;
JUSTINE LUND; JAIME BEARD;
JARED BEARD, individually and on
behalf of all others similarly situated,

Plaintiffs - Appellees,

v.

TRINITY HEALTHSHARE INC., a
Delaware corporation,

Defendant - Appellant,

and

ONESHARE HEALTH LLC, f/k/a Unity
Healthshare, LLC and as Kingdom
Healthshare Ministries, LLC, a Virginia
limited liability corporation; THE ALIERA
COMPANIES, INC, f/k/a Alieria
Healthcare Inc., a Delaware corporation,

Defendants.

No. 21-1187
(D.C. No. 1:20-CV-02130-RBJ)
(D. Colo.)

ORDER

These matters are before the court because new counsel has not entered an appearance on behalf of Defendant-Appellant Trinity Healthshare Inc. pursuant to the court's August 18, 2022 order filed in Appeal No. 21-1187. Accordingly, the court lifts the abatement in Appeal No. 21-1187 and dismisses that appeal for failure to prosecute. *See* 10th Cir. R. 42.1. A copy of this order shall stand as and for the mandate in Appeal No. 21-1187 only.

Appeal Nos. 21-1185 and 21-1186 remain abated pursuant to the court's August 10, 2022 order.

Entered for the Court
CHRISTOPHER M. WOLPERT, Clerk

A handwritten signature in black ink, appearing to read "Candice Manyak".

By: Candice Manyak
Counsel to the Clerk