

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Case No. 89-cv-01154-RPM

UNITED STATES OF AMERICA *ex rel.*
VIRGINIA BELLE STONE, personal representative of
The Estate of JAMES S. STONE, and
UNITED STATES OF AMERICA,

Plaintiff,

v.

ROCKWELL INTERNATIONAL CORPORATION and
BOEING NORTH AMERICAN, INC.,

Defendants.

ORDER DISMISSING THIS ACTION

This Court has considered the Unopposed Request for Dismissal (the Motion) filed by plaintiff Virginia Belle Stone, personal representative of the Estate of James S. Stone ("Plaintiff"). This Court notes that neither the United States of America (the "Government") nor Defendants Rockwell International Corporation and Boeing North American, Inc. (collectively "Defendants") oppose the Motion. Accordingly, it is

ORDERED that:

- (1) the Motion is granted;
- (2) the sole remaining claim in this action, denominated Count Six, is dismissed with prejudice as to Plaintiff and without prejudice as to the Government; and
- (3) this entire action is thereby dismissed, with Plaintiff Virginia Belle Stone and Defendants each bearing their own costs and attorney fees.

DATED: March 31st, 2009.

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch
Senior United States District Judge