

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE

Civil Case No. 06-cv-02148-LTB-BNB

DARRELL FORTNER, and
JENNIFER FORTNER, d/b/a Diamond/Dundee Tree Service,

Plaintiffs,

v.

ATF AGENTS DOG 1, CAT 2, AND HORSE 3,
THE CITY OF COLORADO SPRINGS,
MAYOR LIONEL RIVERS, individually and in his official capacity as Mayor of Colorado Springs,
CO,
KATHRYN YOUNG, individually and in her official capacity as City Clerk of Colorado Springs, CO,
DARREL PEARSON, individually and in his official capacity as City Forrester of ,Colorado Springs,
CO,
JAMES A. CHOATE, individually and in his official capacity as Sergeant for El Paso County
Sheriff's Office,
TERRY MAKETA, individually and in his official capacity as Sheriff for El Paso County Sheriff's
Office,
SHANE WHITE, individually and in his official capacity as Asst. City Attorney for the City of
Colorado Springs, CO, and
JAMES E. MCGANNON, individually and in his official capacity as City Forrester for the City of
Colorado Springs, CO,

Defendants.

ORDER

Upon Plaintiffs' Motion to Dismiss Defendant Shane White in His Individual Capacity From
this Action (Doc 405 - filed April 11, 2011), it is

ORDERED that the Motion is GRANTED and Defendant Shane White is DISMISSED from
this action in his individual capacity.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, JUDGE

DATED: April 12, 2011