

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Philip A. Brimmer**

Civil Action No. 07-cv-02053-PAB-MEH

PHILLIP CUTTING, JR., as next friend and parent of  
INFANT PLAINTIFF, a minor,

Plaintiff,

v.

UNITED STATES OF AMERICA,  
PAMELA SIMONS, M.D.,  
MERCEDES DELORY, CNM, RS, and  
SPECTRUM HEALTHCARE RESOURCES,

Defendants.

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**ORDER OF DISMISSAL OF DEFENDANT  
UNITED STATES OF AMERICA WITH PREJUDICE**

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THIS MATTER comes before the Court upon the Stipulation Of Dismissal between plaintiff and defendant United States of America [Docket No. 267]. The Court has reviewed the pleading and is fully advised in the premises. It is

**ORDERED** that, pursuant to Fed. R. Civ. P. 41(a), and all claims asserted in this matter against defendant United States of America are dismissed with prejudice, with each party to bear its own attorneys' fees and costs. It is further

**ORDERED** that all pending motions (#233, #241, #250 and #252) are denied as moot.

DATED December 18, 2009.

BY THE COURT:

s/Philip A. Brimmer  
PHILIP A. BRIMMER  
United States District Judge