

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Chief Judge Wiley Y. Daniel**

Civil Action No. 08-cv-00127-WYD-MEH

MARK BUBEN,

Plaintiff,

v.

CITY OF LONE TREE;  
LONETREE POLICE DEPARTMENT;  
DWIGHT BERRY, Individually and in his Official Capacity as an Officer;  
SCOTT CAVENAH, Individually and in his Official Capacity as Sergeant;  
DAVID BROWN, Individually and in his Official Capacity as Commander; and  
STEPHEN P. HASLER, Individually and in his Official Capacity as Chief of Police,

Defendants.

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**ORDER**

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The Unopposed Motion to Amend Final Judgment, filed February 3, 2011 [ECF No. 151] is **GRANTED**. The Judgment entered January 27, 2011 [ECF No. 150] shall be amended to change any reference to Defendants' failure to mitigate "claim" or "counterclaim" to Defendants' "affirmative defense of failure to mitigate."

Dated: February 3, 2011

BY THE COURT:

s/ Wiley Y. Daniel  
Wiley Y. Daniel  
Chief United States District Judge