

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

Civil Action No. 08-cv-00339-PAB-KMT

REBECCA E. BULLOCK,

Plaintiff,

v.

JOHN D. WAYNE and
BASIN SURVEYING, INC.,

Defendants.

ORDER

This matter is before the Court on the Stipulated Motion for Dismissal of Counterclaim Plaintiff John D. Wayne's Counterclaims Against Rebecca Bullock [Docket No. 130]. Although based on the representations of the parties, the Court previously understood the parties to have stipulated to the dismissal of Mr. Wayne's counterclaims pursuant to Federal Rule of Civil Procedure 41, a review of the record does not make that fact clear. Furthermore, while the Final Order and Final Judgment in this case [Docket Nos. 125, 126] arguably address the counterclaims, they do not explicitly do so. Therefore, to avoid any confusion going forward, it is

ORDERED that the stipulated dismissal [Docket No. 130] is accepted and counterclaim plaintiff's counterclaims against counterclaim defendant Rebecca Bullock are dismissed. It is further

ORDERED that the judgment shall be amended to reflect the fact that judgment enters in favor of John D. Wayne as defendant and counterclaim plaintiff and in favor of

Basin Surveying, Inc. as defendant and against Rebecca E. Bullock as plaintiff and counterclaim defendant. No other amendments to the judgment are to be made.

DATED June 26, 2009.

BY THE COURT:

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