

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-00461-DME-CBS

MARIO FACUNDO BORREGO BRIONES, JESUS ALBERTO MARINES CARREON, RAUL RIOS SOLIS, PABLO PACHECO DEL REAL, ANTONIO RODARTE GARAMENDI, ERNESTO ALVAREZ SALINAS, JUAN GABRIEL ALEJANDRO RAMIREZ, MANUEL MIJANGOS, JOSE LUIS RUBIO CHAVARRIA, JOSE JESUS VALTIERRA MONTOYA, NICOLAS HERNANDEZ HERNANDEZ, JULIAN FERIA ACOSTA, ROBERTO CARLOS BERNAL CHAVEZ, JESUS GERARDO CUETO LOPEZ, AURELIO CARILLO HERNANDEZ, MARTIN OLIVA PONCE, GABRIEL MARTINEZ PONCE, ANTONIO CARILLO HERNANDEZ, SILVANO GARCIA VEGA, CHRISTIAN OSUNA RAMOS, LEOPOLDO ZARCA GONZALEZ, LUIS MATA LOPEZ, JOSE PAZ AGUIRRE HERNANDEZ, PEDRO VARGAS LEDESMA, ANGEL GEOVANNI DURAN NAVARRO, PABLO SANCHEZ REYES, RICARDO ROJO COVARRUBIAS, JORGE ROJO COVARRUBIAS, JUAN SARABIA MENDEZ, PABLO LUNA TORRES, MARTIN ALEJANDRE HERNANDEZ, JUAN GERARDO ALVARADO GATICA, MIGUEL ANGEL BELTRAN ACEVEDO, JOSE DE JESUS GOMEZ GALVAN, MARTIN BARRON VERA, DAVID GUDINO CHAVARRIA, GERMAN MARTINEZ HERNANDEZ, JOEL AGUILAR TORRES, ARMANDO ORTIZ RUBIO, CALIXTRO OVANDO LIMA, RODOLFO DELGADO RODRIGUEZ, RAMON RODRIGUEZ ARAGUZ, ARTEMIO GARCIA MELO, ANTONIO MONCADA RICO, MIGUEL ANGEL CASTANEDA MARTINEZ, ORACIO RAMIREZ MARTINEZ, LINDOLFO MARTINEZ CASTRO, RAMIRO AVALOS CAMACHO, MARTIN JAIME DURAN MARIN, DANIEL HECTOR DAVILA MARTINEZ, ANSELMO BARRIOS VALDEZ, LUIS ALBERTO DAMIAN ARROYO, FRANCISCO NEGRETE CAMACHO, JUAN LUCIANO ORTIZ DUARTE, DANIEL MORENO VERA, JORGE FLORES BALTAZAR, MARION ARMANDO FLORES BALTAZAR, EDGAR ESTEBAN RODRIGUEZ HERNANDEZ, PABLO CESAR AGUILAR DIAZ, ALEJANDRO ZUNIGA, SANTIAGO MENDOZA RAMIREZ, FEDERICO GONZALEZ CHANTACA, FERMIN RIVERA GUZMAN, MIGUEL ANGEL GUZMAN ESCOGIDO, RODRIGO HERNANDEZ CAHUICH, VICTOR DANIEL BARRIOS RANGEL, DAVID ARENAS MUNIZ, RICARDO GONZALEZ MIRANDA, and MIDWEST DRYWALL COMPANY, INC.,

Plaintiffs,

v.

JNS CONSTRUCTION SERVICES, LLC, JOHN HERZER, LENO & COMPANY, LLC, LENO ASEUDO, also known as Leno Acevedo,

Defendants.

DISMISSAL ORDER

On April 6, 2009, the Court granted Plaintiffs' motion to enforce the parties' settlement agreement and entered judgment in favor of all Plaintiffs against all Defendants in the amount of \$54,400, an amount to which the parties stipulated in their agreement, payable in a lump sum to Plaintiffs' counsel to be distributed by Plaintiffs' counsel to the individual Plaintiffs in the amount of \$800 each. (Doc. 108.) In that same order, the Court directed the parties to show cause why this Court should not now dismiss this case. Plaintiff Midwest Drywall Company, Inc., has responded that it does not oppose dismissal (Doc. 110); no other party has responded.

Therefore, because there are no pending matters left unresolved, the Court dismisses all of Plaintiffs' complaint and this civil action with prejudice, and directs that judgment be entered in favor of all Plaintiffs against all Defendants as stipulated by the parties in their settlement agreement: "Defendants are jointly and severally obligated to pay Plaintiffs a total sum of Fifty Four Thousand Four Hundred Dollars (\$54,400.00), which equals \$800.00 to each of the sixty-eight individual Plaintiffs and \$0.00 to Plaintiff Midwest Drywall Co. Defendants shall make this payment in a lump sum to individual Plaintiffs' counsel, Donald J. Kaufman, who will distribute it to the individual Plaintiffs." (Doc. 108 at 3-4.) Pursuant to the parties' agreement, no party is entitled to an award of costs or fees. Finally, the Court orders that this case be closed.

Dated: April 29, 2009

BY THE COURT:

s/ David M. Ebel

UNITED STATES CIRCUIT JUDGE