

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:08CV828-RPM

NOT 1 MORE ACRE!, a Colorado non-profit corporation,  
JEAN AGUERRE,  
MACK LOUDON, and  
JAMES E. HERRELL,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF THE ARMY,  
ROBERT M. GATES, United States Secretary of Defense,  
PETER GEREN, Secretary of the United States Department of the Army, and  
CRAIG E. COLLEGE, United States Army Deputy Assistant Chief of Staff for Installation  
Management,

Defendants.

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**ORDER WITHDRAWING DEFENDANTS' NOTICE OF APPEAL**

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Upon consideration of Defendants' Unopposed Motion to Voluntarily Dismiss  
Appeal [51], it is

ORDERED, that Defendants' Notice of Appeal filed on November 9, 2009, is  
withdrawn.

DATED this 18<sup>th</sup> day of November, 2009.

s/Richard P. Matsch

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RICHARD P. MATSCH  
United States District Court Senior Judge