

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE

Civil Case No. 08-cv-00855-LTB-KMT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LA PLATA,
COLORADO,

Plaintiff,

v.

BROWN GROUP RETAIL, INC.,
PLUMMER PRECISION OPTICS CO.,
BLUE JAUNTE COMPANY, INC., and
PLUMMER PRECISION OPTICS WESTERN DIVISION, INC.,

Defendants.

ORDER

As set forth on the record at trial, IT IS HEREBY ORDERED that Defendant Brown Group Retail, Inc.'s first counterclaim, which asserts a claim for recovery of response costs under Section 107 of CERCLA, is DISMISSED WITH PREJUDICE.

Dated: October 4, 2010.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge