

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

Civil Case No. 08-cv-01010-LTB-KLM

GARY FOX, an individual,
Plaintiff,

SECURITAS SECURITY SERVICES USA, INC., a Delaware corporation; and
INDEMNITY INSURANCE COMPANY OF NORTH AMERICA, a Pennsylvania corporation,
Involuntary Plaintiffs,

v.

K-MART CORPORATION, a Michigan corporation,
Defendant.

ORDER

THIS MATTER having come before the Court on the Stipulation of Dismissal With Prejudice (Doc 40 - filed August 31, 2009), and the Court being fully advised in the premises, it is therefore

ORDERED that this matter shall be **DISMISSED WITH PREJUDICE**, each party to pay their own fees and costs.

BY THE COURT:

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

DATED: September 1, 2009