

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 08-cv-01016-RPM

MARVIN VAN DE WEERT,

Plaintiff,

v.

BALL CORPORATION,  
BALL CORPORATION LONG-TERM DISABILITY PLAN FOR U.S. AND PUERTO  
RICO SALARIED EMPLOYEES, and  
BALL CORPORATION EMPLOYEE BENEFITS ADMINISTRATION COMMITTEE,

Defendants.

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ORDER OF DISMISSAL

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Upon review of the Stipulation for Dismissal [16], filed on January 13, 2009, it is  
ORDERED that this action is dismissed with prejudice, each party to bear their  
own costs and attorneys' fees.

DATED: January 14<sup>th</sup>, 2009

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior Judge