

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

Civil Action No. 08-cv-01463-RPM
(Consolidated with 09-cv-00940-RPM)

EPC Corporation, an Arizona corporation;
DENNIS C. SHAW;

Plaintiffs,

v.

JAMES G. KREUTZER,
HERMOSA PARK, LLC, a Colorado limited liability company;
CHARLES SHAFER, II;
MICHAEL MCQUINN;
MICHAEL MCQUINN AS TRUSTEE FOR THE MICHAEL MCQUINN PROFIT SHARING PLAN;
BARRY MASON;
BRET MASON;
DANIEL WANSTRATH;
DIANE ORRELL-LOPEZ;
DYLAN NORTON;
JACKIE ONEY and
TONY ONEY, husband and wife;
JANET L. PETTIGREW AS TRUSTEE OF THE JANET L. PETTIGREW REVOCABLE TRUST
DATED FEBRUARY 27, 2006;
LESLIE R. FARRELL;
LOIS CARPENTER;
MATTHEW SPOWART;
MCKOWN AND MCKOWN, LLC, a Colorado limited liability company;
MREI, LLC, an Alaskan limited liability company;
R. KEN CARPENTER;
ROBERT WALLACE;
RONALD W. PETTIGREW AS TRUSTEE OF THE RONALD W. PETTIGREW REVOCABLE
TRUST DATED FEBRUARY 27, 2006;
ROYAL LILLGE;
SULTANA INVESTMENT LIMITED PARTNERSHIP, an Alaska limited partnership;
THOMAS L. GRAMS;
THOMAS A. ST. OURS; and
WILLIAM PEASE FAMILY LIMITED PARTNERSHIP, an Alaska limited partnership,
PTARMIGAN RIDGE, LLC, a Colorado limited liability company;
CHARLES SHAFER, II, AS TRUSTEE FOR THE CHARLES SHAFER II PROFIT SHARING
PLAN AND TRUST;
NATALIA SAPRYKINA;
DAN WANSTRATH;
THOMAS GRAMS; and
CARL RAND;

Defendants.

ORDER FOR DISMISSAL

Pursuant to the Stipulation for Dismissal with Prejudice [150] and the Stipulation for Dismissal without Prejudice of All Cross-Claims by the Group of 24 Defendants Against Defendants Hermosa Park, LLC and James G. Kreutzer [154], it is

ORDERED the complaint is dismissed as to Defendants Charles Shaffer II; Michael McQuinn; Michael McQuinn as Trustee for the Michael McQuinn Profit Sharing Plan; Barry Mason; Bret Mason; Daniel Wanstrath; Diane Orrell-Lopez; Dylan Norton; Jackie Oney and Tony Oney, husband and wife; Janet L. Pettigrew as Trustee of the Janet L. Pettigrew Revocable Trust dated February 27, 2006; Leslie R. Farrell; Lois Carpenter; Matthew Spowart; McKown and McKown, LLC, a Colorado limited liability company; MREI, LLC, an Alaskan limited liability company; R. Ken Carpenter; Robert Wallace; Ronald W. Pettigrew as Trustee of the Ronald W. Pettigrew Revocable Trust dated February 27, 2006; Royal Lillge; Sultana Investment Limited Partnership, an Alaska limited partnership; Thomas L. Grams; Thomas A. St. Ours; and William Pease Family Limited Partnership, an Alaska limited partnership, with prejudice, each party to pay their own costs and attorneys' fees, and it is

FURTHER ORDERED that said defendants' cross-claims against Defendants Hermosa Park, LLC, and James G. Kreutzer are dismissed without prejudice.

Dated: March 1st, 2010

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge