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

Civil Action No. 08-cv-02075-RPM

REX PENLAND,

Plaintiff,

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DAVID DICK,

Defendant.

ORDER FOR DISMISSAL

Pursuant to the stipulation for dismissal [29] filed on December 29, 2009, it is

ORDERED that this action is dismissed with prejudice, each party to pay their own costs

and attorney fees.

Dated: December 30th, 2009

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge