

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 08-cv-02281-REB-MJW

JEREMY HASTINGS, a minor, by and through his parent and next friend, MICHAEL HASTINGS,

Plaintiff,

v.

JOSHUA VALERIO,
LINDSAY VALERIO, and
THE CITY AND COUNTY OF DENVER POLICE DEPARTMENT, through Police Chief
Gerald R. Whitman, in his official capacity,

Defendants.

**ORDER DISMISSING DEFENDANTS
JOSHUA VALERIO AND LINDSAY VALERIO
AND GRANTING THE MOTION FOR STAY**

Blackburn, J.

The matters before me are (1) the **Unopposed (Stipulated) Motion To Stay Proceedings and Deadlines Pending Settlement** [#31]; and (2) **Stipulated (Unopposed) Motion To Dismiss With Prejudice Joshua Valerio and Lindsay Valerio, Individually and Severally** [#32] both filed June 10, 2009. After careful review of the motions and the file, I conclude that the motions should be granted, that plaintiff's claims against defendants, Joshua Valerio and Lindsay Valerio, should be dismissed with prejudice, and that this matter should be stayed through July 13, 2009, pending consummation of settlement.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulated (Unopposed) Motion To Dismiss With Prejudice**

Joshua Valerio and Lindsay Valerio, Individually and Severally [#32] filed June 10, 2009, is **GRANTED**;

2. That plaintiff's claims against defendants, Joshua Valerio and Lindsay Valerio, are **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs; and

3. That defendants, Joshua Valerio and Lindsay Valerio, are **DROPPED** as named parties to this action, and the case caption is amended accordingly.

4. That the **Unopposed (Stipulated) Motion To Stay Proceedings and Deadlines Pending Settlement** [#31], filed June 10, 2009, is **GRANTED**; and

5. That this matter is **STAYED** through July 13, 2009, pending consummation of settlement.

Dated June 11, 2009, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge