

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable Marcia S. Krieger

Civil Action No. 08-cv-02340-MSK-KLM

JUDE T. FUSCO and  
JEAN A. FUSCO,

Plaintiffs,

v.

ACMI CORPORATION; and  
VAIL VALLEY MEDICAL CENTER,

Defendants.

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**ORDER OF DISMISSAL WITH PREJUDICE AND TO CLOSE CASE**

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THIS MATTER is before the Court on the Stipulated Motion to Dismiss With Prejudice (#44) filed August 20, 2009. The Court having reviewed the foregoing:

**ORDERS** that the Motion is **GRANTED**. All claims asserted in the above-captioned matter are dismissed with prejudice, each party to bear his, her or its own costs and attorneys' fees incurred in connection with this action. The Clerk shall close this case.

DATED this 21<sup>st</sup> day of August, 2009.

**BY THE COURT:**



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Marcia S. Krieger  
United States District Judge