

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Case No. 08-cv-02650-PAB-BNB

JASON FOWLER,

Plaintiff,

v.

SEAN GARRICK,

Defendant.

ORDER

This matter is before the Court on the Joint Stipulation for Dismissal of Claims Against Defendant Garrick [Docket No. 51]. Although it is entitled a joint stipulation, the filing is signed only by plaintiff's counsel, and plaintiff's counsel designated it as a motion upon filing it with the Court. Therefore, the Court will take it up as an unopposed motion to dismiss defendant Garrick.

On December 28, 2009, the Court dismissed the United States as a defendant, leaving Mr. Garrick as the only remaining defendant in this action. In light of the plaintiff's representation that he has reached a settlement with Mr. Garrick, it is

ORDERED that the unopposed motion to dismiss defendant Garrick [Docket No. 51] is GRANTED. It is further

ORDERED that plaintiff's claims against Mr. Garrick in this action are dismissed with prejudice, with each side paying their own costs and attorney fees. It is further

ORDERED that, in light of the foregoing and the Court's December 28, 2009 Order dismissing the United States, final judgment shall enter against plaintiff and in favor of the defendants. Further, it is

ORDERED that the Court's December 30, 2009 order to show cause [Docket No. 46] is discharged as moot.

DATED February 9, 2010.

BY THE COURT:

s/Philip A. Brimmer _____
PHILIP A. BRIMMER
United States District Judge