

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Walker D. Miller

Civil Action No. 09-cv-00073-WDM-MJW

KEVIN KIRKPATRICK,

Plaintiff,

v.

UNION PACIFIC RAILROAD COMPANY,

Defendant.

NOTICE OF DISMISSAL

The court takes judicial notice that the parties have filed a Stipulation for Dismissal With Prejudice in accordance with Fed. R. Civ. P. 41(a)(2). Accordingly, the complaint is dismissed with prejudice, each party to pay his or its own costs and attorneys' fees.

DATED at Denver, Colorado, on August 27, 2009.

BY THE COURT:

s/ Walker D. Miller
United States Senior District Judge