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

Civil Action No. 09-cv-00207-WDM-KMT

TERRY L. OSBORNE,

Plaintiff,

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UNION PACIFIC RAILROAD COMPANY,

Defendant.

NOTICE OF DISMISSAL

The court takes judicial notice that the parties have filed a Stipulation for

Dismissal in accordance with Fed. R. Civ. P. 41(a)(1)(A)(ii). Accordingly, the complaint

is dismissed with prejudice, each party to pay his or its own costs and attorneys' fees.

DATED at Denver, Colorado, on March 7, 2011.

BY THE COURT:

s/ Walker D. Miller United States Senior District Judge