

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

Civil Case No. 09-cv-00208-PAB-MEH

DONALD M. ZACHRY,

Plaintiff,

v.

UNION PACIFIC RAILROAD COMPANY,

Defendant.

ORDER OF DISMISSAL WITH PREJUDICE

THIS MATTER comes before the Court upon the Stipulation for Dismissal With Prejudice [Docket No. 13]. The Court has reviewed the pleading and is fully advised in the premises. It is

ORDERED that, pursuant to Fed. R. Civ. P. 41(a), this matter, and all claims asserted therein, is dismissed with prejudice, with each party to bear its own attorneys' fees and costs.

DATED August 24, 2009.

BY THE COURT:

s/Philip A. Brimmer

PHILIP A. BRIMMER
United States District Judge