

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

Civil Case No. 09-cv-00268-PAB-MEH

HOME DESIGN SERVICES, INC.,

Plaintiff,

v.

NOE A. GOMEZ,
SANDRA GOMEZ,
GREGORY K. BARNETT d/b/a Barnetts Designs, Inc.,
KS CUSTOM BUILDERS, INC., and
G CONSTRUCTION, INC.

Defendants.

**ORDER OF DISMISSAL WITHOUT PREJUDICE AS TO
DEFENDANT KS CUSTOM BUILDERS, INC. ONLY**

THIS MATTER comes before the Court upon the Notice of Voluntary Dismissal Without Prejudice [Docket No. 34]. The Court has reviewed the pleading and is fully advised in the premises. It is further

ORDERED that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) all claims asserted in this matter against defendant KS Custom Builders, Inc. are dismissed without prejudice, with each party to bear its own attorneys' fees and costs.

DATED August 14, 2009.

BY THE COURT:

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