

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable Marcia S. Krieger

Civil Action No. 09-cv-00409-MSK-MJW

SHARON KERR, an individual; and  
COLORADO CROSS-DISABILITY COALITION, a Colorado Non-profit Corporation,

Plaintiffs,

v.

THE HEATHER GARDENS ASSOCIATION, a Colorado Corporation; and  
HEATHER GARDENS METROPOLITAN DISTRICT, a Colorado Metropolitan District,

Defendants.

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**ORDER OF DISMISSAL WITH PREJUDICE AND TO CLOSE CASE**

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THIS MATTER is before the Court on the Stipulated Motion to Dismiss With Prejudice (#81) filed December 28, 2010. The Court having reviewed the foregoing:

**ORDERS** that the Motion is **GRANTED**. Any and all claims asserted in the above-captioned matter are dismissed with prejudice, each party to bear his, her or its own costs and attorneys' fees incurred in connection with this action. The jury trial set to commence on January 3, 2011, is VACATED. The Clerk shall close this case.

DATED this 28<sup>th</sup> day of December, 2010.

**BY THE COURT:**



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Marcia S. Krieger  
United States District Judge