

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 09-cv-00454-REB-KMT

ANTHONY MENDOZA,

Plaintiff,

v.

ATLAS CONCRETE, INC., a Colorado corporation,  
TAB CONSTRUCTION, INC., a Colorado corporation, and  
DWAYNE HEIDELBURG, individually,

Defendants.

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**ORDER OF DISMISSAL**

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**Blackburn, J.**

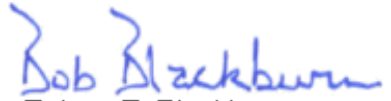
The matter before me is the plaintiff's **Unopposed Motion to Dismiss with Prejudice** [#46] filed October 6, 2009. After careful review of the motion and the file, I conclude that the motion should be granted and that this action should be dismissed with prejudice.

**THEREFORE, IT IS ORDERED** as follows:

1. That the plaintiff's **Unopposed Motion to Dismiss with Prejudice** [#46], filed October 6, 2009, is **GRANTED**;
2. That the Trial Preparation Conference set for March 5, 2010, is **VACATED**;
3. That the jury trial set to commence March 22, 2010, is **VACATED**; and
4. That this action is **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs.

Dated October 8, 2009, at Denver, Colorado.

BY THE COURT:

  
Robert E. Blackburn  
United States District Judge