

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **09-cv-1026-JLK-GJR**

DON C. DEBELLE,

Plaintiff,

v.

**WESTERN SKYWAYS, INC., and
TRISTAR AVIATION, LLC,**

Defendants,

ORDER

Kane, J.

This matter is before me on the Report and Recommendation of Magistrate Judge (doc. #138), entered on September 28, 2010. Although the time for objection has not yet expired, subsequent filings by the parties shall suggest a waiver of any objection. It is therefore

ORDERED that the Report and Recommendation is adopted and made an order of the court as follows:

1. Tristar Aviation, LLC is named as a party Defendant in this action, and the action be so docketed, and

2. The Joint Motion for Dismissal with Prejudice of Plaintiff's claims against Defendant Tristar Aviation, LLC (docket # 135) filed on September 22, 2010 is

GRANTED. It is

FURTHER ORDERED that the Joint Motion for Dismissal With Prejudice (doc.

#139), filed October 1, 2010, is **GRANTED**. This case is **DISMISSED WITH PREJUDICE**, the parties to bear their own attorney fees and costs.

Dated this 6th day of October, 2010.

BY THE COURT:

s/John L. Kane

John L. Kane, Senior Judge
United States District Court