

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

Civil Case No. 09-cv-01027-REB-KLM

HOME DESIGN SERVICES, INC.,

Plaintiff,

v.

RUCKMAN, INC.,
TERRY M. RUCKMAN,
JAMES DEE WHITELEY, and
ANNIE M. WHITELEY,

Defendants.

**ORDER DISMISSING DEFENDANTS,
JAMES DEE WHITELEY AND ANNIE M. WHITELEY**

Blackburn, J.

The matter before me is the **Stipulation For Voluntary Dismissal With Prejudice As To Defendants James Dee Whiteley and Annie M. Whiteley** [#38] filed September 21, 2009. After careful review of the stipulation and the file, I conclude that the stipulation should be approved and that plaintiff's claims against defendants, James Dee Whiteley and Annie M. Whiteley, should be dismissed with prejudice.

THEREFORE, IT IS ORDERED as follows:


1. That the **Stipulation For Voluntary Dismissal With Prejudice As To Defendants James Dee Whiteley and Annie M. Whiteley** [#38] filed September 21, 2009, is **APPROVED**;
2. That plaintiff's claims against defendants, James Dee Whiteley and Annie M. Whiteley, are **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney

fees and costs; and

3. That defendants, James Dee Whiteley and Annie M. Whiteley, are **DROPPED** as named parties to this action, and the case caption is amended accordingly.

Dated September 21, 2009, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge