

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

Civil Case No. 09-cv-01325-REB-KLM

DAVID A. ROBERTS,

Plaintiff,

v.

COREY E. SMITH, and
BIG M TRANSPORTATION, INC., a Mississippi corporation,

Defendants.

ORDER OF DISMISSAL

Blackburn, J.

The matter before me is the **Stipulated Motion For Dismissal With Prejudice** [#40] filed June 1, 2010. 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 **Stipulated Motion For Dismissal With Prejudice** [#40] filed June 1, 2010, is **GRANTED**;
2. That the Trial Preparation Conference set for June 25, 2010, is **VACATED**;
3. That the jury trial set to commence July 12, 2010, is **VACATED**; and
4. That this action is **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs.

Dated June 2, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge