

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

Civil Case No. 09-cv-01640-REB-MEH

PEAK BANKS OF COLORADO, INC., a Colorado corporation, and
THOMAS L. HARTLEY,

Plaintiffs,
v.

OMAHA FINANCIAL HOLDINGS, INC., a Nebraska corporation,
Defendant.

ORDER OF DISMISSAL

Blackburn, J.

The matter before me is the **Joint Stipulation of Dismissal With Prejudice of All Claims and Counterclaims Pursuant to Fed.R.Civ.P. 41** [#28] filed November 13, 2009. After careful review of the stipulation and the filed, I conclude that the stipulation should be approved and that this action should be dismissed with prejudice.

THEREFORE, IT IS ORDERED as follows:

1. That the **Joint Stipulation of Dismissal With Prejudice of All Claims and Counterclaims Pursuant to Fed.R.Civ.P. 41** [#28], filed November 13, 2009, is **APPROVED**;
2. That the Trial Preparation Conference set for July 9, 2010, is **VACATED**;
3. That the Jury Trial set to commence July 26, 2010, is **VACATED**; and
4. That this action is **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs.

Dated November 16, 2009, at Denver, Colorado.

BY THE COURT:

Bob Blackburn

Robert E. Blackburn
United States District Judge