

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Walker D. Miller

Civil Action No. 09-cv-01715-WDM-BNB

MATTHEW NELSON,

Plaintiff,

v.

BREG, INC., et al.,

Defendants.

NOTICE OF DISMISSAL OF DEFENDANT ARTHREX ONLY

The court takes notice of Plaintiff's Notice of Dismissal in accordance with Fed. R. Civ. P. 41(a)(1)(i). Accordingly, this case is dismissed without prejudice as to Defendant Arthrex, Inc. only, each party to pay his or its own costs and attorneys' fees.

DATED at Denver, Colorado, on August 3, 2009.

BY THE COURT:

s/ Walker D. Miller
United States Senior District Judge