

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 09-cv-02311-RPM

MICHAEL CACIOPPO,

Plaintiff,

v.

TOWN OF VAIL, COLORADO and
DARREN ANDERSON,

Defendants.

ORDER FOR SUMMARY JUDGMENT DISMISSING TOWN OF VAIL, COLORADO

Pursuant to the hearing held today on the motion for summary judgment filed by the Town of Vail, Colorado, seeking dismissal of the third claim for relief in the second amended complaint and after the Court's oral review of the undisputed facts and the stated ruling that the records shown by the papers filed does not support a fair inference supporting municipal liability for the claim that the hiring of Darren Anderson as a police officer showed deliberate indifference to a known risk; that his conduct toward the plaintiff resulted from a failure of proper training and that the stated approval of Anderson's conduct by the Police Chief was based on inadequate information and does not constitute ratification, it is now

ORDERED that the motion is granted and judgment will enter dismissing the Town of Vail, Colorado, as a defendant.

Dated: December 13th, 2011

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge