

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer**

Civil Case No. 09-cv-02383-PAB-MEH

MARK W. GERGANOFF,

Plaintiff,

v.

THE CITY AND COUNTY OF DENVER, a municipal corporation,
DAVID FINE, in his official capacity as City Attorney, and
CAREER SERVICE BOARD OF THE CITY AND COUNTY OF DENVER,

Defendants.

**ORDER OF DISMISSAL WITH PREJUDICE OF DEFENDANTS DAVID FINE IN HIS
OFFICIAL CAPACITY AS CITY ATTORNEY AND CAREER SERVICE BOARD OF
THE CITY AND COUNTY OF DENVER**

THIS MATTER comes before the Court upon the Stipulated Motion for Dismissal With Prejudice of Defendants David Fine in his Official Capacity as City Attorney and the Career Service Board of the City and County of Denver [Docket No. 58]. The Court has reviewed the pleading and is fully advised in the premises. It is

ORDERED that the stipulated motion for dismissal [Docket No. 58] is GRANTED.

It is further

ORDERED that, pursuant to Fed. R. Civ. P. 41(a), all claims asserted against defendants David Fine, in his official capacity as City Attorney, and Career Service Board of the City and County of Denver, are dismissed with prejudice, with each party to bear its own attorneys' fees and costs.

DATED April 19, 2010.

BY THE COURT:

s/Philip A. Brimmer _____
PHILIP A. BRIMMER
United States District Judge