

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 09-cv-02548-WYD-MJW

SCOTT'S MARKET, a Colorado corporation,

Plaintiff,

v.

UNITED STATES OF AMERICA;
THE UNITED STATES DEPARTMENT OF AGRICULTURE;
FOOD AND NUTRITION SERVICE; and
MOUNTAIN PLAINS REGION COMPLIANCE CENTER,

Defendants.

ORDER OF DISMISSAL OF PARTIES WITHOUT PREJUDICE

THIS MATTER comes before the Court on the Stipulation of Dismissal Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) (docket #9), filed December 4, 2009. After carefully reviewing the file, I find that the stipulation should be approved pursuant to Fed. R. Civ. P. 41(a) and that Defendants United States Department of Agriculture, Food and Nutrition Service, and Mountain Plains Region Compliance Center should be dismissed without prejudice from this action. Accordingly, it is

ORDERED that the Stipulation of Dismissal Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) (docket #9), filed December 4, 2009, is **APPROVED** and Defendants United States Department of Agriculture, Food and Nutrition Service, and Mountain Plains Region Compliance Center are **DISMISSED WITHOUT PREJUDICE** from this action. It is

FURTHER ORDERED that the clerk of the court shall amend the case caption to reflect the dismissal of these Defendants.

Dated: December 7, 2009

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge