

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **10-cv-644-JLK**

**SHANNON FREEMAN, as personal representative of BRYANT HANNA, a child, and
STEPHANIE HANNA, as representative of the estate of ROBERT HANNA, deceased,**

Plaintiffs,

v.

GREGORY COSTA, PA-C;

Defendant.

**ORDER FORMALLY DISMISSING CLAIMS AGAINST
DIANE VOYTKO, M.D.**

Kane, J.

The original Complaint in this medical malpractice action named Dr. Diane Voytko as a co-Defendant with Gregory Costa and Colorado Mountain Medical, P.C. Since then, a formal order granting Dr. Voytko's Motion for Summary Judgment on Plaintiffs' claims against her has issued (Doc. 68), Plaintiffs' claims against Colorado Mountain Medical have settled, and an Amended Complaint identifying Gregory Costa as the sole remaining Defendant has been accepted (Doc. 83) for filing. While unnecessary from the Court's point of view, Plaintiffs and Dr. Voytko have now filed a Stipulation (Doc. 85) seeking an order formally dismissing Dr. Voytko from the case.

Based on the foregoing and in accordance with the Stipulation, I REAFFIRM and formally ORDER that Plaintiffs' claims against Dr. Diane Voytko are DISMISSED with prejudice, with each party to pay his or her own costs and attorney fees.

Dated: June 7, 2012.

s/John L. Kane
SENIOR U.S. DISTRICT JUDGE