

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 10-cv-01469-REB

RANDALL S. ASHER, D.D.S., M.S.,

Plaintiff,

v.

THE KROGER CO., an Ohio corporation, d/b/a King Soopers,

Defendant.

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**ORDER OF DISMISSAL**

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**Blackburn, J.**

The matter before me is the plaintiff's **Notice of Voluntary Dismissal** [#5] filed July 9, 2010. After reviewing the notice and the file, I conclude that the notice should be approved and that this action should be dismissed without prejudice.

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Notice of Voluntary Dismissal** [#5] filed July 9, 2010, is

**APPROVED**; and

2. That this action is **DISMISSED WITHOUT PREJUDICE**.

Dated July 12, 2010, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge