

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

Civil Action No. 10-cv-01854-WYD-KMT

LINDA ROGERS, individually and as sole member of LITTLE RED HEN, LLC, a Colorado limited liability company, and  
LITTLE RED HEN, LLC, a Colorado limited liability company,

Plaintiffs,

v.

WESCO PROPERTIES, LLC, a Colorado limited liability company;  
DOUGLAS WEST, individually and as a managing member of WESCO PROPERTIES, LLC, a Colorado limited liability company;  
JANE DOE WEST;  
RONALD KOHAN, individually and as a managing member of WESCO PROPERTIES, LLC, a Colorado limited liability company; and,  
JANE DOE KOHAN,

Defendants.

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**ORDER DISMISSING CASE WITHOUT PREJUDICE**

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THIS MATTER comes before the Court on the parties' Joint Motion to Dismiss Without Prejudice [ECF No. 85] and Notice of Settlement And Joint Motion To Dismiss Without Prejudice [ECF No. 86]. After carefully reviewing the above-captioned case, I find that this case should be dismissed without prejudice pursuant to Rule 41(a)(1)(A)(ii) of the FEDERAL RULES of CIVIL PROCEDURE. Accordingly, it is

ORDERED that the parties' Notice of Settlement And Joint Motion To Dismiss Without Prejudice [ECF No. 86], filed on October 16, 2012, is **GRANTED**, and this matter is **DISMISSED WITHOUT PREJUDICE**. The parties shall bear their own costs

and attorneys fees. It is

FURTHER ORDERED that the parties' Joint Motion to Dismiss Without Prejudice [ECF No. 85] is **DENIED AS MOOT**.

DATED: October 17, 2012.

BY THE COURT:

s/ Wiley Y. Daniel  
Wiley Y. Daniel,  
Chief U.S. District Judge