

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Action No. 10-cv-02349-WJM-KMT

CHIMNEY ROCK PUBLIC POWER DISTRICT,  
MIDWEST ELECTRIC COOPERATIVE CORPORATION,  
NORTHWEST RURAL PUBLIC POWER DISTRICT,  
PANHANDLE RURAL ELECTRIC MEMBERSHIP ASSOCIATION, and  
ROOSEVELT PUBLIC POWER DISTRICT,

Plaintiffs,

v.

TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.,

Defendant.

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TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.,

Counterclaim Plaintiff,

v.

CHIMNEY ROCK PUBLIC POWER DISTRICT,  
MIDWEST ELECTRIC COOPERATIVE CORPORATION,  
NORTHWEST RURAL PUBLIC POWER DISTRICT, and  
PANHANDLE RURAL ELECTRIC MEMBERSHIP ASSOCIATION,

Counterclaim Defendants.

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TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.,

Third-Party Plaintiff,

v.

RYAN REIBER, and  
JERRY UNDERWOOD,

Third-Party Defendants.

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**ORDER GRANTING JOINT MOTION FOR DISMISSAL OF TRI-STATE'S  
FOUR REMAINING COUNTERCLAIMS**

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This matter comes before the Court on the Joint Motion for Dismissal of Defendant Tri-State's Four Remaining Counterclaims as Moot, filed March 27, 2014 (ECF No. 312). The Court having reviewed the Motion and being fully advised hereby ORDERS as follows:

The Joint Motion is GRANTED. Tri-State's First through Fourth Counterlcaims against Plaintiffs are hereby DISMISSED WITHOUT PREJUDICE. The Court defers ruling on whether to award costs to Plaintiffs or Defendant Tri-State until all of the claims between them have been resolved.

Dated this 28<sup>th</sup> day of March, 2014.

BY THE COURT:



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William J. Martinez  
United States District Judge