

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

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.,
HAROLD "HUB" THOMPSON,
BRIAN SCHALAGEL,
JAMES "JIMMY" BASON,
JACK HAMMOND,
TOM HOLGERSON,
THAINE MICHIE, and
CHARLES "JIM" SOEHNER

Defendants.

ORDER

This matter comes before the Court on the Stipulation for Dismissal filed by Plaintiff Roosevelt Public Power District ("Roosevelt") and Defendants Tri-State Generation and Transmission Association, Inc. ("Tri-State) and Harold "Hub" Thompson ("Thompson") filed March 28, 2012 (ECF No. 44). The Court having reviewed the Stipulation and being fully advised hereby ORDERS as follows:

1. Plaintiff Roosevelt's Complaint in this civil action, and all claims and causes of action Roosevelt has asserted against Defendants Tri-State, Thompson, Harold "Hub" Thompson, Brian Schlagel, James "Jimmy" Bason, Jack Hammond, Tom Holgerson, Thain Michie and Charles "Jim" Soehner, are DISMISSED WITH PREJUDICE. Such dismissal shall not affect Roosevelt's right to assert claims relating to terms and conditions for withdrawal from Tri-State that are established by Tri-State's Board of Directors subsequent to the date of this Order; or claims Roosevelt may have concerning its rights (if any) to federal hydropower allocations.
2. Tri-State's Counterclaims against Roosevelt in this civil action, and all claims and causes of action Tri-State has asserted against Roosevelt are DISMISSED WITH PREJUDICE. Tri-State's Counterclaims against Plaintiffs other than Roosevelt are unaffected by this Order and shall remain pending.
3. Roosevelt and all Defendants shall bear their own costs and fees, including attorney's fees and expert witness fees.

Dated this 29th day of March, 2012.

BY THE COURT:



William J. Martínez
United States District Judge