

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02836-DME-BNB

WAGNER RENTS, INC., a trade name for WAGNER EQUIPMENT CO.,

Plaintiff,

v.

STREET CONSTRUCTION INCORPORATED, et al.,

Defendant.

ORDER OF DISMISSAL

THIS MATTER comes before the Court upon Plaintiff's Notice of Dismissal Without Prejudice (Doc. No. 4).

IT IS THEREFORE ORDERED THAT that this civil action is dismissed without prejudice. Each party shall pay its own costs and attorneys' fees.

Dated: January 10, 2011

BY THE COURT:

s/ David M. Ebel

UNITED STATES CIRCUIT JUDGE