

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:11-cv-00128-JLK

WILDEARTH GUARDIANS,

Plaintiff,

v.

U.S. BUREAU OF LAND MANAGEMENT,

Defendant,

CHESAPEAKE EXPLORATION, LLC,
Intervenor-Defendant.

ORDER GRANTING MOTION TO DISMISS, DOC. 32

Kane, J.

For the reasons set forth below, Defendant's motion to dismiss this case with prejudice, Doc. 32, is granted.

On January 13, 2012, Plaintiff and Defendant entered a stipulation settling the above captioned case. Doc. 30-1. The Court entered the parties' stipulation on January 17, 2012. Doc. 31. The stipulation obligated the Bureau of Land Management ("BLM") to "prepare an emissions inventory for oil and gas operations for the Royal Gorge Field Office Planning Area, which includes Weld and Morgan Counties and the Denver Metro/North Front Range 8-Hour Ozone Nonattainment Area." *Id.* at ¶ 1.

The stipulation also provided that, "[u]pon entry of this Stipulation and Order by the Court, this case shall be administratively closed under Rule 41.2 of the Local Rules for the United States District Court for the District of Colorado. Upon BLM's notification in writing to the Court and the Plaintiff of BLM's completion of the air emissions inventory mentioned in Paragraph 1, the Court shall dismiss this case with prejudice." *Id.* at ¶ 6.

The BLM has now provided written notice to the Court and the Plaintiff that the BLM has completed the air emissions inventory required by paragraph 1 of the stipulation. Therefore pursuant to paragraph 6 of the stipulation the Court finds that dismissal of this matter with prejudice is appropriate.

Defendant's motion to dismiss is GRANTED. This case is DISMISSED WITH PREJUDICE.

DATED: December 17, 2013

BY THE COURT:

s/John L. Kane

John L. Kane, U.S. Senior District Judge