

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 11-cv-00555-REB-KLM

ELLIOT B. MAISEL,

Plaintiff,

v.

ERICKSON CONSTRUCTION, INC., a Colorado corporation,
RICKIE DEAN ERICKSON, individually,
CHARLES L. CUNNIFFE, individually, d/b/a Charles Cunniffe & Assoc, Architects,
ALPINE HEATING AND SHEET METAL, INC., a Colorado corporation,
COG PLUMBING & HEATING, INC., a Colorado corporation,
FRONTIER ENTERPRISES, LTD., d/b/a Frontier Structures, Inc., a Colorado corporation,
JOHN'S CONSTRUCTION,
PEAK SERVICE AND RENOVATION INC., d/b/a Peak Mechanical Services, Inc., a Colorado corporation,
STEAMBOAT LANDSCAPING, INC., d/b/a Mountain West Environments, Inc., a Colorado corporation,
THE LOG CONNECTION, INC., a Colorado corporation,
TINMAN ROOFING AND HOME IMPROVEMENTS, INC., a Colorado corporation,
DAVID JOHNS, individually d/b/a Johns Construction, and
CROSS SEVEN, INC., a Colorado corporation,

Defendants.

**ORDER OF DISMISSAL AS DEFENDANTS
STEAMBOAT LANDSCAPING, INC., d/b/a MOUNTAIN WEST ENVIRONMENTS, INC.,
DAVID JOHNS, d/b/a JOHNS CONSTRUCTION, AND CROSS SEVEN, INC.
ONLY**

Blackburn, J.

The matter is before me on the **Stipulation For Dismissal With Prejudice of Defendants Steamboat Landscaping, Inc., d/b/a Mountain West Environments, Inc., David Johns d/b/a Johns Construction, and Cross Seven, Inc.** [#102]¹ filed September 15, 2011.

After reviewing the stipulation and the file, I conclude that the stipulation should be approved

¹“[#102]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s electronic case filing and management system (CM/ECF). I use this convention throughout this order.

and that plaintiff's claims against defendants, Steamboat Landscaping, Inc., d/b/a Mountain West Environments, Inc., David Johns d/b/a Johns Construction, and Cross Seven, Inc., should be dismissed with prejudice.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulation For Dismissal With Prejudice of Defendants Steamboat Landscaping, Inc., d/b/a Mountain West Environments, Inc., David Johns d/b/a Johns Construction, and Cross Seven, Inc.** [#102] filed September 15, 2011, is **APPROVED**;

2. That plaintiff's claims against defendants, Steamboat Landscaping, Inc., d/b/a Mountain West Environments, Inc., David Johns d/b/a Johns Construction, and Cross Seven, Inc., are **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs; and

3. That defendants, Steamboat Landscaping, Inc., d/b/a Mountain West Environments, Inc., David Johns d/b/a Johns Construction, and Cross Seven, Inc., are **DROPPED** as named parties to this action, and the case caption is amended accordingly.

Dated September 16, 2011, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge