



**APPROVED**  
0:48AM FROM-

Movant shall serve copies of this ORDER on any pro se parties, pursuant to CRCP 5, and file a certificate of service with the Court within 10 days.

**Dated: Mar 11, 2011**

*Michael A. Martinez*  
\_\_\_\_\_  
**Michael A. Martinez**

**District Court Judge**

DATE OF ORDER INDICATED ON ATTACHMENT

DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO  Denver District Court 1437 Bannock St. Rm. 256 Denver, CO 80202 (720) 865-8301	
<b>Plaintiff:</b> TIMOTHY W. SMITH  <b>Defendants:</b> ALAN K. MILLER, (agent of named political subdivisions) in individual capacity; CHIEF SCOTT BOOKMAN, (agent of Denver Health Paramedic Division) an individual and official capacity; DENVER HEALTH PARAMEDIC DIVISION (an autonomous political subdivision of the State of Colorado); BRUCE ALEXANDER, (agent of Denver Health and Hospital Authority) in individual and official capacity; DENVER HEALTH AND HOSPITAL AUTHORITY (an autonomous political subdivision of the State of Colorado), the CITY AND COUNTY OF DENVER (an autonomous political subdivision of the State of Colorado); and JOHN DOES 1 - 5.	
<b>Attorneys:</b> Lane N. Cohen, Reg. No. 35558 IRWIN & BOESEN, P.C. 4100 East Mississippi Avenue, 19 <sup>th</sup> Floor Denver, Colorado 80246 Phone Number: (303) 320-1911 Fax Number: (303) 320-1915	
<b>STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE OF CLAIMS          AGAINST DEFENDANT CITY AND COUNTY OF DENVER</b>	

▲ COURT USE ONLY ▲

Case Number: 2011CV7

Div.: \_\_\_\_\_ Term.: 259

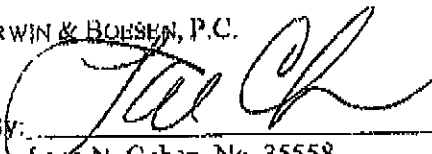
Plaintiff, Timothy Smith ("Smith") and Defendant, the City and County of Denver ("Denver"), through their respective undersigned attorneys, pursuant to C.R.C.P. 41(a)(2), respectfully move this Court for an Order dismissing with prejudice all of the claims Plaintiff has asserted against Denver in this action, and dismissing Denver as a party to this litigation, Plaintiff and Denver to pay their own costs and attorney's fees as against one another.

This Stipulated Motion for Dismissal with Prejudice does not apply to and does not affect Plaintiff's claims against Defendants Chief Scott Bookman, Denver Health and Paramedic Division and Denver Health and Hospital Authority.

A proposed Order of Dismissal with Prejudice is being tendered with this Stipulated Motion for Dismissal.

DATED this 8<sup>TH</sup> day of March, 2011.

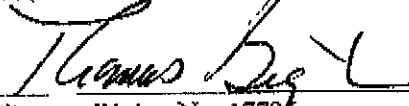
IRWIN & BOESCH, P.C.

By: 

Lane N. Cohen, No. 35558  
4100 East Mississippi Avenue  
19<sup>th</sup> Floor  
Denver, CO 80246  
Tel: (303) 320-1911

ATTORNEYS FOR PLAINTIFF

DENVER CITY ATTORNEY'S OFFICE

By: 

Thomas Bigler, No. 17726  
Denver City Attorney Office  
201 West Colfax Avenue, Dept 1108  
Denver, Colorado 80202  
Tel: 720-865-8751

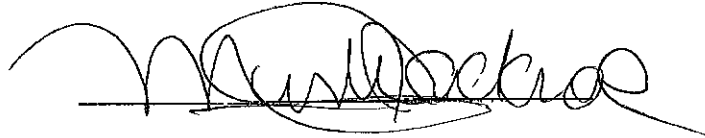
ATTORNEY FOR DEFENDANT CITY AND COUNTY  
OF DENVER

**CERTIFICATE OF SERVICE**

I certify that on this 8<sup>th</sup> day of March, 2011, the foregoing **STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE OF CLAIMS AGAINST DEFENDANT CITY AND COUNTY OF DENVER** was filed using LexisNexis which will serve the following:

Thomas Bigler, Esq.  
Denver City Attorney Office  
201 West Colfax Avenue, Dept 1108  
Denver, Colorado 80202

Patrick A. Singer, Esq.  
Pryor Johnson Carney Karr Nixon, P.C.  
5619 DTC Parkway, Suite 1200  
Greenwood Village, CO 80111

A handwritten signature in black ink, appearing to read "Patrick A. Singer", written over a horizontal line.

This document constitutes a ruling of the court and should be treated as such.

**Court:** CO Denver County District Court 2nd JD

**Judge:** Michael Anthony Martinez

**File & Serve  
Transaction ID:** 36353382

**Current Date:** Mar 11, 2011

**Case Number:** 2011CV7

**Case Name:** SMITH, TIMOTHY W vs. MILLER, ALAN K et al

**Court Authorizer**

**Comments:**

Plaintiff shall submit a Proposed Order of Dismissal with Prejudice no later than ten (10) days from the date of this Order.

/s/ **Judge Michael Anthony Martinez**