

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 11-cv-00702-PAB-CBS

LLOYD E. MORRIS,

Plaintiff,

v.

COLORADO HOUSING AND FINANCE AUTHORITY (CHFA), et al.,

Defendants.

ORDER

This matter is before the Court on the Stipulation for Dismissal With Prejudice [Docket No. 77] filed by plaintiff Lloyd E. Morris and defendants Wells Fargo Bank, N.A., Colorado Housing and Finance Authority, and Lynn M. Janeway.

The parties “stipulate to dismissal with prejudice of this civil action.” The stipulation, however, was not signed by “by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii); see *Anderson-Tully Co. v. Federal Ins. Co.*, 347 F. App’x 171, 176 (6th Cir. 2009) (under Fed. R. Civ. P. 41(a)(1)(A)(ii), “all parties who have appeared” includes both current and former parties). As a result, the Stipulation of Dismissal, by itself, does not serve to dismiss this action. The Court, however, having reviewed the stipulation, finds that dismissal is appropriate. Therefore, pursuant to Fed. R. Civ. P. 41(a)(2), it is

ORDERED that all claims by and between plaintiff and defendants are dismissed with prejudice, each party to bear its own costs and attorneys’ fees. It is further

ORDERED that this case shall be closed in its entirety.

DATED February 9, 2012.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge