

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Action No. 11-cv-01555-LTB-GPG

LENADO TWELVE, LLC, a Colorado limited liability company, and
LAST CHANCE NUMBER 2, INC., a Colorado corporation,

Plaintiffs,

v.

WESTERN ADVENTURES, INC., a Colorado corporation;
HOWARD VAGNEUR, individually;
THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO;
VIRGINIA CERISE;
JAMES M. CERISE,
CAROLYN A. CERISE;
GEORGE STRANAHAN TRUST;
All unknown persons who claim any interest in the subject matter of this action; and
THE UNITED STATES FOREST SERVICE, a federal agency of the United States,

Defendants,

UNITED STATES OF AMERICA,

Counterclaimant,

v.

LENADO TWELVE, LLC, a Colorado limited liability company; and
LAST CHANCE NUMBER 2, INC., a Colorado corporation,

Counterclaim-Defendants.

**ORDER FOR DISMISSAL OF DEFENDANTS VIRGINIA CERISE, JAMES M. CERISE,
AND CAROLYN A. CERISE WITH PREJUDICE**

THIS matter is before the Court on the Stipulation and Motion of the Plaintiffs,
Lenado Twelve, LLC, a Colorado limited liability company, and Last Chance Number 2,
Inc., a Colorado corporation (“Plaintiffs”), and Defendants Virginia Cerise, James M. Cerise

and Carolyn A. Cerise (“Cerises”) for Dismissal of the Plaintiffs’ and Cerises’ claims and counterclaims with prejudice. The Stipulation and Motion were unopposed. The Plaintiffs and Cerises have reached an agreement for the settlement of the claims and counterclaims raised by each of them in this action. Plaintiffs have granted an easement to the Cerises on the Plaintiffs’ Property, and Cerises have disclaimed any interest in the Plaintiffs’ Property as described in the pleadings, except as granted in the easement.

The Motion is hereby GRANTED. Pursuant to Fed. R. Civ. P. 41(a)(1) Plaintiffs claims against the Cerises are hereby dismissed with prejudice. Cerises counterclaims against the Plaintiffs are likewise dismissed with prejudice. Cerises are dismissed as parties to the action. Plaintiffs and Cerises shall each bear their own costs and attorneys’ fees.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: April 22, 2013