

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 11-cv-01942-MSK-CBS

BARTON ARBUTHNOT,
BLEND A ARBUTHNOT,
BLAINE ARBUTHNOT,
PAMELA ARBUTHNOT,
LYNN CHUBBUCK,
AMBER DECKER,
JULIE DECKER,
KAREN DIETRICH,
MICHAEL DIETRICH,
DOROTHY MASON,
C.D., a minor, by and through her parents and next of friends,

Plaintiffs,

v.

THE TOWN COUNCIL OF THE TOWN OF ORDWAY, COLORADO a municipal corporation of the State of Colorado,
THE CROWLEY COUNTY CHILD CARE CENTER, a Colorado non-profit corporation, d/b/a KIDS CAMPUS,
ANNETTE BOONE, an individual,
ORVAL L. COLLINS a/k/a LAWRENCE O. COLLINS a/k/a LARRY COLLINS, individually, and in his official capacity as Trustee of the Town of Ordway, Colorado,
WILLIAM FERRITTO, individually, and in his official capacity as Marshal of the Town of Ordway, Colorado,
KELLI JO RUSHER, in her official capacity as Mayor of the Town of Ordway, Colorado,
DAWN SCHECK, an individual,
CARRIE STEELE-COLLINS a/k/a CARRIE COLLINS a/k/a CARRIE ELEANOR STEELE, individually,
DOES 1-20, individuals

Defendants.

ORDER DISMISSING CLAIMS AGAINST CERTAIN DEFENDANTS

THIS MATTER is before the Court upon the filing of the Stipulation for Dismissal of the Board of Education of the Crowley County School District With Prejudice (Stipulation) (#92) filed November 29, 2012, and the Stipulated Motion to Dismiss Defendants The Board of Directors of the Lower Arkansas Valley Water Conservancy District; Peter Moore, in his Official Capacity; and Jay Winner, in his Official Capacity, With Prejudice (Motion) (#98) filed December 17, 2012. Having reviewed the filings and docket, the Court

FINDS that on March 13, 2012, this matter was administratively closed and a Special Master was appointed. No motion pursuant to D.C.COLO.LCivR 41.2 has been filed; however, the Court *sua sponte* reopens this matter for the limited purpose of dismissing claims against certain defendants pursuant to the filings at #92 and #98. Accordingly,

IT IS ORDERED that all claims asserted by Plaintiffs against the following Defendants are DISMISSED, WITH PREJUDICE, each party to bear his, her or its own costs and attorney fees:

1. The Board of Education of the Crowley County School District, a body corporate and politic;
2. The Board of Directors of the Lower Arkansas Valley Water Conservancy District, a quasi-municipal and political subdivision of the State of Colorado;
3. Peter Moore, in his official capacity as President of the Board of Directors of the Lower Arkansas Valley Water Conservancy District; and
4. Ralph "Jay" Winner, in his official capacity as Executive Director of the Lower Arkansas Valley Water Conservancy District. It is

FURTHER ORDERED that all future captions shall omit reference to these Defendants.

DATED this 27th day of December, 2012.

BY THE COURT:



Marcia S. Krieger
United States District Judge