

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02142-WYD-KLM

CHARLES D. SWANSON, derivatively on behalf of Janus Capital Group Inc.,

Plaintiff,

v.

RICHARD M. WEIL;  
STEVEN L. SCHEID;  
TIMOTHY ARMOUR;  
PAUL BALSER;  
G. ANDREW COX;  
JEFFREY DIERMEIER;  
J. RICHARD FREDERICKS;  
DEBORAH GATZEK;  
LAWRENCE KOCHARD;  
ROBERT PARRY;  
JOCK PATTON;  
GLENN SCHAFER;  
JONATHAN D. COLEMAN;  
GREGORY A. FROST;  
JAMES P. GOFF; and  
R. GIBSON SMITH,

Defendants,

JANUS CAPITAL GROUP INC.,

Nominal Defendant.

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FINAL JUDGMENT

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Pursuant to and in accordance with Fed. R. Civ. P. 58(a) and the Order, filed on September 26, 2012, by the Honorable Wiley Y. Daniel, Chief United States District Judge, and incorporated herein by reference as if fully set forth, it is

ORDERED that judgment is hereby entered in favor of Nominal Defendant, Janus Capital Group, Inc. and Defendants, Richard M. Weil; Steven L. Scheid; Timothy Armour; Paul Balser; G. Andrew Cox; Jeffrey Diermeier; J. Richard Fredericks; Deborah Gatzek; Lawrence Kochard; Robert Parry; Jock Patton; Glenn Schafer; Jonathan D. Coleman; Gregory A. Frost; James P. Goff; and R. Gibson Smith, and against Plaintiff, Charles D. Swanson, derivatively on behalf of Janus Capital Group Inc., on Nominal Defendant's motion to dismiss and Defendants' motion to dismiss. It is further

ORDERED that plaintiff's amended complaint and this civil action are dismissed.

DATED at Denver, Colorado this 28th day of September, 2012.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/ Edward P. Butler

Edward P. Butler,

Deputy Clerk