

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

Civil Action No. 11-cv-002238-PAB-KLM

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ADAMS,

Plaintiff,

v.

LELAND ASAY and
DENNIS GLENN COEN,

Defendants.

ORDER

This matter comes before the Court on Motion for Entry of Stipulated Voluntary Dismissal With Prejudice of Complaint Against Defendant Leland Asay [Docket No. 136]. It is ORDERED as follows:

1. The Motion for Entry of Stipulated Voluntary Dismissal With Prejudice of Complaint Against Defendant Leland Asay [Docket No. 136] filed by plaintiff The Board of County Commissioners of the County of Adams is GRANTED.

2. Plaintiff's claims against defendant Asay as set forth in its complaint are dismissed with prejudice.

3. Defendant Asay shall voluntarily appear at depositions, hearings, and trial in the above-captioned case. Specifically, defendant Asay shall:

- a. accept service by mail or electronic transmission of notices or subpoenas issued by plaintiff for testimony at depositions, hearings, or trials;
- b. with respect to such notices and subpoenas, waive the territorial limits on service contained in Rule 45 of the Federal Rules of Civil

Procedure and any applicable local rules, provided plaintiff reimburses defendant Asay for travel and lodging at a reasonable rate; and

- c. consent to personal jurisdiction in any United States District Court for purposes of enforcing any such subpoena.

4. Plaintiff's dismissal with prejudice against defendant Asay shall not affect plaintiff's claims in its complaint against the remaining defendant.

DATED July 29, 2013.

BY THE COURT:

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