

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

Civil Action No. 11-cv-02238-PAB-KLM

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ADAMS,

Plaintiff,

v.

LELAND ASAY,  
SAMUEL VIDAL GOMEZ,  
JERRY LEE RHEA,  
DENNIS GLENN COEN,  
LOUIE GEORGE SCHIMPF, and  
QUALITY PAVING CO., a Colorado corporation,

Defendants.

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**ORDER**

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This matter is before Court on the Motion for Stipulated Voluntary Dismissal Without Prejudice of Complaint Against Defendant Louis George Schimpf [Docket No. 68]. Plaintiff has agreed to the dismissal of its claims against defendant Schimpf without prejudice. In exchange, Schimpf has agreed to (1) voluntarily appear at depositions, hearings, and trials in this case; (2) accept service by mail or electronic transmission of notices or subpoenas issued by Plaintiff for testimony at depositions, hearings, or trials; (3) waive the territorial limits on service contained in Rule 45 of the Federal Rules of Civil Procedure and any applicable local rules with respect to such notices and subpoenas, provided plaintiff reimburses defendant Schimpf for travel and lodging at a reasonable rate; and (4) consent to personal jurisdiction in any United States District Court for purposes of enforcing any such subpoena. Wherefore, it is

**ORDERED** that plaintiff's claims against defendant Louie George Schimpf are dismissed without prejudice.

DATED May 8, 2012.

BY THE COURT:

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