

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02449-BNB-KMT

UNITED FOOD & COMMERCIAL WORKERS INTERNATIONAL UNION, LOCAL NO.
7,

Plaintiff,

vs.

KING SOOPERS, INC.,

Defendant.

FINAL JUDGMENT

PURSUANT to Fed. R. Civ. P. 58(a) and in accordance with the Order entered by the Honorable Magistrate Judge Boyd N. Boland on September 18, 2012, it is ORDERED that :

1. Plaintiff's Motion for Summary Judgment [Doc. #16] is DENIED.
2. Defendant's Motion for Summary Judgment and Brief in Support [Doc #17] is GRANTED IN PART and DENIED IN PART as follows:
 - a. The plaintiff's request to confirm and enforce the arbitration award entered June 3, 2011, is DENIED;
 - b. Final judgment is hereby entered in favor of the defendant and against the plaintiff;
 - c. The defendant may have its costs, to be taxed and allowed in the time and manner prescribed by Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1; and
 - d. The defendant's request for attorney fees is DENIED.

DATED at Denver, Colorado, this 20th day of September, 2012.

FOR THE COURT:

JEFFERY P. COLWELL, CLERK

By: s/ Edward P. Butler
Edward P. Butler
Deputy Clerk