

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Action No. 11-cv-02765-WJM-MJW

DALIP BASANTI,

Plaintiff,

v.

JEFFREY METCALF, M.D.,  
JASON ROZESKI, M.D., and  
PLATTE VALLEY MEDICAL CENTER,

Defendants.

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**ORDER GRANTING STIPULATED MOTION TO DISMISS EMTALA CLAIMS**

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This matter is before the Court on Plaintiff Dalip Basanti's and Defendant Jeffrey Metcalf, M.D.'s Stipulated Motion to Dismiss EMTALA claims as Alleged Against Dr. Metcalf, filed December 30, 2011 (ECF No. 23). The Court being fully advised hereby **ORDERS** as follows:

The Stipulated Motion to Dismiss EMTALA Claims as Alleged against Dr. Metcalf is **GRANTED**. The Court **ORDERS** that any and all claims against Dr. Metcalf concerning the Emergency Medical Treatment and Active Labor Act, 42 U.S.C. § 1395dd ("EMTALA"), including paragraph 228(f), in its entirety, of Plaintiff's Complaint, and the EMTALA reference contained in paragraph 228(g) of Plaintiff's Complaint are **DISMISSED WITH PREJUDICE**.

Dated this 3<sup>rd</sup> day of January, 2012.

BY THE COURT:



William J. Martinez  
United States District Judge