

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 11-cv-022848-REB-KLM

GRANT YONEHIRO,

Plaintiff,

v.

KIKU CORPORATION d/b/a KOKORO, and
MAS TORITO, in all capacities,

Defendants.

**AMENDED
ORDER OF DISMISSAL REGARDING
PLAINTIFF'S SECOND CLAIM FOR RELIEF AGAINST
DEFENDANT, MAS TORITO, ONLY**

Blackburn, J.

The matter is before me *sua sponte*. On February 10, 2012, the court entered its **Order of Dismissal as To Defendant, Mas Torito, Only** [#25]¹. However, on review, the **Stipulation of Partial Dismissal of Defendant Mas Torito With Prejudice** [#24] filed February 10, 2012, sought only dismissal of plaintiff's second claim of relief against defendant, Mas Torito. Thus, only plaintiff's second claim for relief alleging violations of §24-34-402.5 – Colorado's Outside Lawful Activity Statute, as pled in the Amended Complaint against defendant, Mas Torito, should be dismissed with prejudice. Thus, the order dismissing defendant, Mas Torito should be vacated. I enter this amended order to grant the limited relief requested in the stipulation.


¹ "[#25]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.

THEREFORE, IT IS ORDERED as follows:

1. That the **Order of Dismissal as To Defendant, Mas Torito, Only** [#25] entered February 10, 2012, is **VACATED**;
2. That plaintiff's second claim for relief alleging violations of §24-34-402.5 – Colorado's Outside Lawful Activity Statute, as pled in the Amended Complaint, is **DISMISSED WITH PREJUDICE** as to defendant, Mas Torito, with each of the affected parties to pay its own attorney fees and costs; and
3. That defendant, Mas Torito, is **JOINED** and **REINSTATED** as a defendant in this matter, and the case caption is amended accordingly.

Dated February 13, 2012, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge