

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 11-cv-03173-REB-MEH

THERESA L. DOWLING,

Plaintiff,

v.

EXCEL ENERGY,

Defendant.

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**FINAL JUDGMENT**

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This **Final Judgment** is entered pursuant to Fed. R. Civ. P. 58(a) and in accordance with the **Order Adopting Recommendation of the United States Magistrate Judge** [#60] entered by Judge Robert E. Blackburn on December 4, 2012, which order is incorporated herein by this reference.

**THEREFORE, IT IS ORDERED** as follows:

1. That plaintiff's claims against defendant are **DISMISSED WITH PREJUDICE** as a sanction for failure to comply with the duly issued orders of the court and failure to prosecute;
2. That **JUDGMENT IS ENTERED** on behalf of defendant Xcel Energy against plaintiff Theresa L. Dowling on all claims for relief and causes of action; provided, that **JUDGMENT IS WITH PREJUDICE**;
3. That the defendant is **AWARDED** its costs to be taxed by the Clerk of the Court pursuant to Fed.R.Civ.P. 54(d)(1) and D.C.COLO.LCivR 54.1.

DATED at Denver, Colorado this 13th day of December, 2012.

FOR THE COURT:  
JEFFREY P. COLWELL, CLERK

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