

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 11-cv-03174-RPM

JAMES PLUNKETT,

Plaintiff,

v.

OFFICER S. CASTRO,  
OFFICER ELLERMAN,  
SERGEANT LOMBARDI,  
SERGEANT TOWN, and  
DETECTIVE DANNY PEREZ, all law enforcement officers with the Denver Police Department,

Defendants.

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ORDER DISMISSING CERTAIN PARTY AND CLAIMS

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Pursuant to the Stipulated Motion to Voluntarily Dismiss [34] filed August 6, 2012, it is ORDERED that the following claims and parties are dismissed with prejudice, each party to bear their own costs and attorney's fees:

1. Defendant Ellerman
2. Fourth Claim for Relief – First Amendment Retaliation
3. Ninth and Tenth Claim for Relief – Common Law Assault and Battery
4. Eleventh Claim for Relief – Outrageous Conduct

DATED: August 8<sup>th</sup>, 2012

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior Judge