

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

Civil Action No. 12-cv-02111-REB-KLM

MARGUERITE E. BAIN,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE TREASURY - INTERNAL REVENUE
SERVICE, and
ALL UNKNOWN PERSONS WHO CLAIM ANY INTEREST IN THE SUBJECT MATTER
OF THIS ACTION,

Defendants.

UNITED STATES DEPARTMENT OF THE TREASURY - INTERNAL REVENUE
SERVICE,

Counterclaim Plaintiff,

v.

MARGERITE E. BAIN, and
KEY BANK NATIONAL ASSOCIATION,

Counterclaim Defendants.

ORDER

Blackburn, J.

The matter is before me on the **Joint Stipulation and Motion To Dismiss** [#58]¹
filed July 10, 2013. After reviewing the motion and the record, I conclude that the

¹ “[#58]” 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.

motion should be granted and that the counterclaims of the plaintiff, United States Department of the Treasury - Internal Revenue Service's against counterclaim defendant, Marguerite E. Bain, should be dismissed, and that the United States should be dismissed from this lawsuit with prejudice, under FED. R. CIV. P. 21 and 41(a)(2), with each party to bear it's own costs and fees.

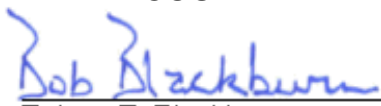
THEREFORE, IT IS ORDERED as follows:

1. That **Joint Stipulation and Motion To Dismiss** [#58] filed July 10, 2013, is **GRANTED**;
2. That by July 30, 2013, Marguerite E. Bain **SHALL COMPENSATE** the United States via check made payable to the "United States Treasury" in the amount of \$125,000.00, referencing Case No. 12-cv-02111-REB-KLM and mailed to

Tax FLU, Office of Review
P.O. Box 310
Ben Franklin Station
Washington, DC 20044-0310;
3. That the counterclaims of the United States against Marguerite E. Bain are **DISMISSED**, and that the United States is **DISMISSED WITH PREJUDICE** from this lawsuit with each of the affected parties to pay its own attorney fees and costs; and
4. That the United States is **DROPPED** as a named party to this action, and the case caption is amended accordingly.

Dated July 10, 2013, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge