

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

Civil Action No. 12-cv-02868-REB-KMT

2010-1 RADC/CADC VENTURE, LLC, a Delaware limited liability company with its principal place of business in the State of Kansas,

Plaintiff,

v.

GHOST HOLE PARTNERS, LLC, an Oregon limited liability company with its principal place of business in the State of Oregon,

DAVID J. FITZPATRICK, an individual resident of the State of Washington, and

DAVID C. HOCK, an individual resident of the State of Oregon,

Defendants.

ORDER OF DISMISSAL AS TO DEFENDANT DAVID J. FITZPATRICK, ONLY

Blackburn, J.

The matter is before me on the **Stipulated Motion To Dismiss Defendant Fitzpatrick With Prejudice** [#35]¹ filed April 4, 2013. After reviewing the motion and the record, I conclude that the motion should be granted and that plaintiff's claims against defendant David J. Fitzpatrick should be dismissed with prejudice.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulated Motion To Dismiss Defendant Fitzpatrick With Prejudice** [#35] filed April 4, 2013, is **GRANTED**;

2. That plaintiff's claims against defendant David J. Fitzpatrick are **DISMISSED**

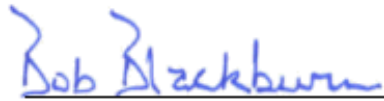
¹ "[#35]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.

WITH PREJUDICE with each of the affected parties to pay its own attorney fees and costs; and

3. That defendant David J. Fitzpatrick is **DROPPED** as a named party to this action, and the case caption is amended accordingly.

Dated April 5, 2013, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge