

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02897-MSK-KMT

HOWARD W. GRACE, II;  
PATRICIA L. GRACE, II;  
PINNACLE HOMES, INC.;  
UNAWEEP HOMES, LLC;  
WILDWOOD FRUITA HOMES, LLC; and  
THE HAWKS NEST, LLC,

Plaintiffs,

v.

2010-1 RADC/CADC VENTURE, LLC, a Delaware Limited Liability Company,

Defendant.

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**FINAL JUDGMENT**

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In accordance with orders filed during the pendency of this case, and pursuant to Fed. R. Civ. P 58(a), the following Final Judgment is hereby entered.

Pursuant to the Electronic Order filed on June 4, 2013, adopting the Recommendation issued by the Magistrate Judge (**Doc. #6**) to dismiss the case for Plaintiff's failure to effectuate service, it is

ORDERED that the Recommendation of Magistrate Judge Tafoya (**Doc. #6**) is **ADOPTED**. Plaintiff's case is dismissed with out prejudice pursuant to Fed.R.Civ.P. 41(b) and the case is closed. It is further

ORDERED that 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 this 6<sup>th</sup> day June, 2013.

ENTERED FOR THE COURT:  
JEFFREY P. COLWELL, CLERK  
By: s/Edward P. Butler  
Edward P. Butler, Deputy Clerk