

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Case No. 12-cv-03341-LTB-MJW

EUGENE FOSTER,

Plaintiff,

v.

MOUNTAIN COAL COMPANY, LLC,
ARCH WESTERN RESOURCES, LLC, and
ARCH COAL, INC.,

Defendants.

FINAL JUDGMENT

PURSUANT to and in accordance with Fed. R. Civ. P. 58(a) and the Orders entered during the course of proceedings in this case, the following FINAL JUDGMENT is hereby entered.

It is ORDERED that Defendants' Motion for Summary Judgment as to Eugene Foster is GRANTED. It is

FURTHER ORDERED that final judgment is hereby entered in favor of Defendants, Mountain Coal Company, LLC, Arch Western Resources, LLC, and Arch Coal, Inc., and against Plaintiff, Eugene Foster. It is

FURTHER ORDERED that Defendants, Mountain Coal Company, LLC, Arch Western Resources, LLC, and Arch Coal, Inc. shall have their costs by the filing of a Bill of Costs with the Clerk of this Court within fourteen days of the entry of judgment, pursuant to Fed. R. Civ. P. 58(a) and D.C.COLO.LCivR 54.1. It is

FURTHER ORDERED that plaintiff's Amended Complaint and this civil action are

DISMISSED WITH PREJUDICE.

DATED at Denver, Colorado this 22nd day of December, 2014.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/E. Buchanan
E. Buchanan, Deputy Clerk