

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00950-RPM

KIMBERLY BERUBE,

Plaintiff,

vs.

SHERIFF MIKE ENSMINGER, in his official capacity as Sheriff of the County of Teller,
Colorado; and
NICKLOS PINELL,

Defendants.

ORDER DENYING MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS OR
ALTERNATIVELY SUMMARY JUDGMENT BY THE DEFENDANT SHERIFF MIKE
ENSMINGER

The plaintiff's allegations concerning continual sexual misconduct by the Sheriff's employees are sufficient to show that there was a pervasive atmosphere of sexual misconduct affecting the plaintiff within the two years preceding the filing of the complaint and it is therefore

ORDERED that Sheriff Ensminger's joinder in the motion filed by Nicklos Pinell is denied.

Dated: January 8th, 2014

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge