

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

Civil Action No. 13-cv-01325-REB-MJW

SANDI UHRIG,

Plaintiff,

v.

BANNER HEALTH, an Arizona corporation d/b/a North Colorado Medical Center,

Defendants.

ORDER OF DISMISSAL

Blackburn, J.

The matter is before the court on the **Stipulated Motion For Dismissal With Prejudice** [#94]¹ filed August 22, 2014. After reviewing the motion and the record, I conclude that the motion should be granted and this action should be dismissed with prejudice.

Trial by jury commenced July 28, 2014. At the commencement of the fourth day of trial on July 31, 2014, the parties reached a settlement, which was placed on the record and approved by the court. Accordingly, the trial was vacated, and the jury was discharged. Because the civil action was settled during the trial, jury costs may be assessed under D.C.COLO.LCivR 54.2 (“Likewise, when any civil action is settled during jury trial before verdict, jury costs may be assessed against any of the parties and/or counsel.”).

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

Thirty prospective jurors reported for service. The jury costs for the twenty-one jurors that reported and were not selected are \$1,624.49. The jury costs for the nine selected jurors that reported and served for a total of four days are \$3,1064.08. Total jury costs are \$4,788.57. See Certification of Jury Costs [#93] filed August 7, 2014.

Good cause exists to apportion these costs equally between the parties.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulated Motion For Dismissal With Prejudice** [#94] filed August 22, 2014, is **GRANTED**;

2. That jury costs of \$4,788.57 are **ASSESSED** and **SHALL BE PAID** equally by the parties by September 26, 2014; and

3. That this action is **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs.

Dated August 25, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge