

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 13-cv-01836-PAB-CBS

HOMER FLUTE,  
ROBERT SIMPSON, JR.,  
THOMPSON FLUTE, JR.,  
DOROTHY WOOD, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,  
THE DEPARTMENT OF THE INTERIOR, and  
THE BUREAU OF INDIAN AFFAIRS,

Defendants.

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**FINAL JUDGMENT**

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In accordance with the 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 Order [Docket No.36] of Judge Philip A. Brimmer entered on September 4, 2014, it is

**ORDERED** that this case is **DISMISSED** without prejudice for lack of subject matter jurisdiction. It is further

**ORDERED** that judgment is hereby entered in favor of defendants the United States of America, the Department of the Interior, and the Bureau of Indian Affairs and against plaintiffs Homer Flute, Robert Simpson, Jr., Thompson Flute Jr., and Dorothy Wood. It is further

**ORDERED** that defendants are **AWARDED** their 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 at Denver, Colorado this 4th day of September, 2014.

FOR THE COURT:  
JEFFREY P. COLWELL, CLERK

s/Jennifer Hawkins

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Jennifer Hawkins  
Deputy Clerk