

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

Civil Action No. 13-cv-03114-REB-MJW

KARY BERRY, on behalf of herself and all other similarly situated persons,

Plaintiff,

v.

DOC POPCORN DEVELOPMENT, INC., a Colorado corporation, and
DOC POPCORN INTERNATIONAL, INC., a Colorado corporation,

Defendants.

ORDER OF DISMISSAL

Blackburn, J.

The matter is before me on the **Stipulation of Dismissal With Prejudice** [#45]¹ filed May 23, 2014. After reviewing the stipulation and the record, I conclude that the stipulation should be approved and that this action should be dismissed with prejudice.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulation of Dismissal With Prejudice** [#45] filed May 23, 2014, is **APPROVED**;

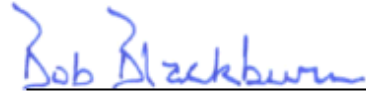
2. That any pending motion, including **Defendants' Motion to Dismiss or, in The Alternative, to Stay The Proceeding and Compel Arbitration** [#9] filed November 22, 2013; and plaintiff's **Withdrawal of Opposition to Motion to Dismiss** [#44] filed May 23, 2014, are **DENIED** as moot; and

¹ “[#45]” 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.

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

Dated May 27, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge