

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 14-cv-00407-BNB

BROKER'S CHOICE OF AMERICA, INC., a Colorado corporation,

Plaintiff,

v.

THE CGA EXCHANGE f/k/a The CGA Exchange, Inc., a North Carolina corporation,

Defendant.

ORDER

The parties have filed a Stipulation to Dismiss With Prejudice [Doc. # 34] which ordinarily would be effective without a court order. Fed. R. Civ. P. 41(a)(1)(A). Here, however, the Stipulation provides that “[c]osts shall be taxed against the Defendant and both parties shall bear their respective attorney's fees.” Consequently, an order assessing costs is necessary, and the Stipulation is construed as a motion to dismiss under Rule 41(a)(2).

IT IS ORDERED:

- (1) The action is DISMISSED WITH PREJUDICE at the request of the parties; and
- (2) The plaintiff may have its costs by filing a bill of costs pursuant to

D.C.COLO.LCivR54.1.

Dated July 10, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge