

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00458-KLM

LEONARD MARTINEZ,
DOUG PATRICK,
SAMANTHA PATRICK,
DEVIN QUINTANA,
SCOTT ROSENBAUM,
STEVEN ROSENBAUM,
JOSEPH VIALPANDO,
MICHAEL WOLFE,
DENNIS GREGORY,
FRANCISCO MEDINA, and
SCOTTIE LEE WRAY,

Plaintiffs,

v.

RED'S TOWING,

Defendant.

ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiffs' **Status Report** [#73]¹ and on the parties' **Stipulated Motion to Dismiss With the Court Determining Reasonable Fees and Costs** [#74] (the "Motion").² On November 26, 2014, Judgment [#42] entered in favor of all Plaintiffs except Leonard Martinez and Michael Wolfe. The two remaining Plaintiffs,

¹ "[#73]" is an example of the convention the Court uses to identify the docket number assigned to a specific paper by the Court's case management and electronic case filing system (CM/ECF). This convention is used throughout this Order.

² The case has been referred to the undersigned for all purposes pursuant to the Court's Pilot Program and 28 U.S.C. § 636(c), on consent of the parties.

along with Defendant, now jointly seek dismissal of this case. *Motion* [#74]. The parties ask the Court to retain jurisdiction over the matter to the extent necessary to resolve outstanding issues relating to attorney's fees and costs. See *Cooter & Gell v. Hartmarx Corp.*, 496 U.S. 384, 395-96 (1990) (stating that "a federal court may consider collateral issues after an action is no longer pending," including "motions for costs or attorney's fees").

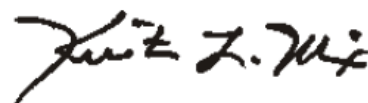
IT IS HEREBY **ORDERED** that the Motion [#74] is **GRANTED**. Pursuant to Fed. R. Civ. P. 41(a)(2), this case is **DISMISSED** and the Clerk of Court is directed to **CLOSE** this matter.

IT IS FURTHER **ORDERED** that Plaintiffs Leonard Martinez and Michael Wolfe shall file a motion regarding fees and costs **on or before May 26, 2015**. Plaintiffs shall comply with D.C.COLO.LCivR 54.3.

On May 5, 2015, the Court ordered Plaintiffs to file a Status Report [#73] indicating whether Plaintiffs Doug Patrick, Samantha Patrick, Devin Quintana, Scott Rosenbaum, Steven Rosenbaum, Joseph Vialpando, Dennis Gregory, Francisco Medina, Jesse Mendoza, and Scottie Lee Wray's Motion for Attorney's Fees [#63] is moot or whether it needs to be adjudicated by the Court. Plaintiffs have indicated that the Motion for Attorney's Fees [#63] is not moot. Accordingly, the Court shall adjudicate the motion in due course.

Dated: May 7, 2015

BY THE COURT:



Kristen L. Mix
United States Magistrate Judge