

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 14-cv-02230-LTB

DENNIS HEATON,

Plaintiff,

v.

SMITH AND NEPHEW, INC., a Delaware corporation,

Defendant.

ORDER

THIS MATTER having come before the Court on the Plaintiff's Rule 41(a) Notice of Dismissal With Prejudice (Doc 5 - filed October 2, 2014), and the Court being fully advised in the premises, it is therefore

ORDERED that this matter shall be **DISMISSED WITH PREJUDICE**, each party to pay their own fees and costs.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: October 3, 2014