

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kris Alan Hahn,

Civ. No. 09-2220 (JNE/JJK)

Plaintiff,

v.

ORDER

Thomas E. Bauer, Mark S. Wernick,
J. Marshall, Peter Sichko, Michael O. Freeman,
City of Minneapolis, and County of Hennepin,

Defendants.

Kris Alan Hahn, 223 14th Ave. NE, Minneapolis, MN 55413-1119, *pro se*.

Richard J. Thomas, Esq., and Corinne Ivanca, Esq., Burke & Thomas, PLLP, counsel for
Defendant Thomas E. Bauer.

John S. Garry, Esq., Minnesota Attorney General's Officer, counsel for Defendant Mark S.
Wernick.

Toni A. Beitz, Esq., Hennepin County Attorney's Officer, counsel for Defendants J. Marshall,
Peter Sichko, Michael O. Freeman, and County of Hennepin.

James Anthony Moore, Esq., Minneapolis City Attorney's Office, counsel for Defendant City of
Minneapolis.

The above matter comes before the Court upon the Report and Recommendation of
United States Magistrate Judge Jeffrey J. Keyes dated January 8, 2009. No objections have been
filed to that Report and Recommendation in the time period permitted. Based upon the Report
and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings
herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Defendant the City's Motion to Dismiss Pursuant to Rule 12(b)(4)(5) and (6) (Doc. No. 4), is **GRANTED**, and all claims asserted against the City are **DISMISSED WITH PREJUDICE**;

2. Defendant Thomas E. Bauer's Motion to Dismiss (Doc. No. 9), is **GRANTED**, and all claims asserted against Bauer are **DISMISSED WITHOUT PREJUDICE**;

3. The Hennepin County Defendants' Motion to Dismiss (Doc. No. 15), is **GRANTED**, and all claims asserted against the Hennepin County Defendants are **DISMISSED WITH PREJUDICE**, except for Count VI against Defendant Marshall, which is **DISMISSED WITHOUT PREJUDICE**;

4. Defendant Mark S. Wernick's Motion to Dismiss (Doc. No. 32), is **GRANTED**, and all claims for damages asserted against Judge Wernick in his individual capacity are **DISMISSED WITH PREJUDICE**, and all claims for declaratory relief and for damages asserted against Judge Wernick in his official capacity are **DISMISSED WITHOUT PREJUDICE**; and

5. This action is terminated.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: January 27, 2010

s/ Joan N. Ericksen

JOAN N. ERICKSEN
United States District Judge