



Calderon v. Safehouse Progressive Alliance for Nonviolence et al

2013 | Cited 0 times | D. Colorado | July 15, 2013

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLORADO

Judge Philip A. Brimmer

Civil Action No. 11-cv-02536-PAB-MEH

ELAINE CALDERON,

Plaintiff, v. SAFEHOUSE PROGRESSIVE ALLIANCE FOR NONVIOLENCE and ANNE TAPP,
Executive Director, Safehouse Progressive Alliance for Nonviolence,

Defendants. _____

ORDER OF DISMISSAL

This matter is before the Court on the Joint Stipulation for Dismissal With Prejudice [Docket No. 157] filed by the remaining parties in this matter, plaintiff Elaine Calderon and defendants Safehouse Progressive Alliance for Nonviolence and Anne Tapp. The stipulation was not signed by “by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii); see *Anderson-Tully Co. v. Federal Ins. Co.*, 347 F. App’x 171, 176 (6th Cir. 2009) (under Fed. R. Civ. P. 41(a)(1)(A)(ii), “a ll parties who have appeared” includes both current and former parties). As a result, the Stipulation for Dismissal for Dismissal With Prejudice, by itself, does not serve to dismiss this action. The Court, however, having reviewed the stipulation, finds that dismissal is appropriate. Therefore, pursuant to Fed. R. Civ. P. 41(a)(2), it is

ORDERED that all claims by and between plaintiff and defendants are dismissed with prejudice, each party to bear its own costs and attorneys’ fees. It is further

ORDERED that this case shall be closed in its entirety.

2 DATED July 15, 2013. BY THE COURT:



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s/Philip A. Brimmer PHILIP A. BRIMMER United States District Judge

