

DISTRICT COURT, BROOMFIELD COUNTY, COLORADO Court Address: 17 Descombes Dr., Broomfield, CO, 80020	DATE FILED: September 13, 2013 10:14 AM CASE NUMBER: 2013CV30055 <p style="text-align: center;">⚠ COURT USE ONLY ⚠</p> Case Number: 2013CV30055 Division: A Courtroom:
Plaintiff(s) ALEX TERRANOVA et al. v. Defendant(s) ADAMS 12 FIVE STAR SCHOOL DISTRICT et al.	
Order: Plaintiffs' Unopposed Motion to Dismiss Count Two of First Claim for Relief	

The motion/proposed order attached hereto: SO ORDERED.

Issue Date: 9/13/2013



PATRICK THOMAS MURPHY
 District Court Judge

DISTRICT COURT, BROOMFIELD COUNTY, COLORADO 17 th Judicial District - Broomfield 17 Descombes Drive Broomfield, CO 80020 Phone: 720-887-2100	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
Plaintiffs: ALEX TERRANOVA and FREDERICK TERRANOVA v. Defendants: ADAMS 12 FIVE STAR SCHOOL DISTRICT, TYRONE GIORDANO, in his individual capacity, ED HARTNETT, in his individual capacity, CATHY NOLAN, in her individual capacity, LEE PETERS, in his individual capacity, and CHRIS GDOWSKI, in his individual capacity.	
Kent N. Campbell, Esq. WICK & TRAUTWEIN, LLC 323 South College Avenue, Suite 3 P.O. Box 2166 Fort Collins, CO 80522 Phone Number: (970) 482-4011 E-mail: kcampbell@wicklaw.com FAX Number: (970) 482-8929 Atty. Reg. #13170	Case No.: 2013 CV 30055 Division: A
PLAINTIFFS' UNOPPOSED MOTION TO DISMISS COUNT TWO OF FIRST CLAIM FOR RELIEF	

PLAINTIFFS, Alex Terranova and Frederick Terranova (“Plaintiffs”), by and through their attorneys, WICK & TRAUTWEIN, LLC, and pursuant to C.R.C.P. 41(a)(2) respectfully move that the court enter an order dismissing Count Two of the First Claim for Relief, and in support hereof, state as follows:

C.R.C.P. 121 CERTIFICATION

Undersigned plaintiffs’ counsel hereby certifies that he has conferred with defense counsel and confirmed that defendants are unopposed to the relief requested herein.

1. C.R.C.P. 41(a)(2) provides that the court may dismiss an action at the plaintiff’s insistence upon order of the court and upon such terms and conditions as the court deems proper.

2. Plaintiffs no longer wish to pursue their Count Two asserting independent contractor status of Defendant Giordano as part of the First Claim for Relief, and therefore voluntarily request that said Count Two be dismissed.

WHEREFORE, plaintiffs respectfully pray that the court enter an order dismissing Count Two of the First Claim for Relief.

DATED this 30th day of August, 2013.

WICK & TRAUTWEIN, LLC

This document was served electronically pursuant to C.R.C.P. 121 §1-26. The original signed pleading is on file at the offices of Wick & Trautwein, LLC

By: s/ Kent N. Campbell
Kent N. Campbell, #13170
Attorneys for Plaintiffs

CERTIFICATE OF ELECTRONIC FILING

The undersigned hereby certifies that a true and correct copy of the foregoing PLAINTIFFS' UNOPPOSED MOTION TO DISMISS COUNT TWO OF FIRST CLAIM FOR RELIEF was electronically filed and served via Integrated Colorado Courts E-filing System (ICCES) this 30th day of August, 2013, on the following:

Thomas J. Lyons
Keith Goman
Hall & Evans, LLC
1125 17th Street, Suite 600
Denver, CO 80202

s/Jody L. Minch

[The original certificate of electronic service signed by Jody L. Minch is on file with the offices of Wick & Trautwein, LLC]