

DISTRICT COURT, EL PASO COUNTY, COLORADO		<p>DATE FILED: November 30, 2018 4:04 PM</p> <p>CASE NUMBER: 2018CV30989</p>
Court Address: 270 S. Tejon, Colorado Springs, CO, 80901		
<b>Plaintiff(s)</b> FRIENDS OF THE BLACK FOREST PRESERVATION et al. v. <b>Defendant(s)</b> BOARD OF COUNTY COMMISSIONERS OF EL PASO et al.		
		<p>△ COURT USE ONLY △</p> <p>Case Number: 2018CV30989</p> <p>Division: 5      Courtroom:</p>
<p align="center"><b>Order to Dismiss with Prejudice</b></p>		

The motion/proposed order attached hereto: GRANTED.

Issue Date: 11/30/2018



LARRY EDWARD SCHWARTZ  
District Court Judge

DISTRICT COURT, EL PASO COUNTY, COLORADO 270 South Tejon Street Colorado Springs, CO 80903 Phone: (719) 452-5000	<div style="text-align: center;"> <p>▲ COURT USE ONLY ▲</p> </div>
<p><b>Plaintiffs:</b> FRIENDS OF THE BLACK FOREST PRESERVATION PLAN, INC., a Colorado non-profit corporation; TERRY SMITH; and AMELIA SNYDER,</p> <p>vs.</p> <p><b>Defendants:</b> BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO; ARROYA INVESTMENTS, LLC, a Colorado Limited Liability Company; ROBERT SCOTT CONTRACTORS, INC., a Colorado Corporations; and JACOB DECOTO</p> <p><b>Third-Party Plaintiffs:</b> ARROYA INVESTMENTS, LLC, a Colorado Limited Liability Company; ROBERT SCOTT CONTRACTORS, INC., a Colorado Corporation; and JACOB DECOTO</p> <p>vs.</p> <p><b>Third-Party Defendants:</b> TERRANCE STOKKA; DICK BABCOCK</p>	
	Case No.: 2018 CV 30989  Div.: 5
<div style="text-align: center;"> <p><b>ORDER TO DISMISS WITH PREJUDICE</b></p> </div>	

This matter is before the Court on Defendants Arroya Investments, LLC's ("Arroya Investments"), Robert Scott Contractors, Inc.'s ("Robert Scott"), and Jacob Decoto's ("Decoto") (collectively "Developer Defendants") Motion to Dismiss Amended Complaint for Judicial Review Pursuant to C.R.C.P. 106(a)(4) ("Motion to Dismiss"), having reviewed the entire file, and being fully advised in the premises,

ORDERS THAT:

1. The Motion to Dismiss is GRANTED; and
2. Plaintiffs Friends of the Black Forest Preservation Plan, Inc.'s, Terry Smith's, Amelia Snyder's Amended Complaint for Judicial Review Pursuant to C.R.C.P. 106(a)(4) IS DISMISSED WITH PREJUDICE pursuant to C.R.C.P. 12(b)(1).

DATED this \_\_\_\_\_ day of December, 2018.

BY THE COURT:

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District Court Judge