

COURT OF APPEALS, STATE OF COLORADO
101 West Colfax Avenue, Suite 800
Denver, Colorado 80202
Mail: 2 E. 14th Ave., Denver, CO 80203

**Appeal from Jefferson County District Court
Honorable Margie Enquist
Case No.: 12CV3006**

**Appellant:
JEFFERSON COUNTY SCHOOL DISTRICT R-1**

v.

**Appellees:
THE CITY OF LAKEWOOD, a municipal
corporation, State of Colorado; HBG
NEIGHBORHOOD AND COMMUNITY
ORGANIZATION; PAUL CAMPBELL; MARY
CAMPBELL; HEATHER WENGER; WILLIAM
MARCOUX; JONI MARCOUX; MICHAEL
BUGARIN; GORDON ERSKINE; PAULINE
ERSKINE; BRETT JOHNSON; and TRACY
GIBBONS**

▲ COURT USE ONLY ▲

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W. Stuart Stuller, Atty No. 22082
Page G. Crowther, Atty No. 40161
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Case Number: 2014CA412

MOTION TO WITHDRAW NOTICE OF APPEAL AND DESIGNATION OF RECORD

Plaintiff-Appellant Jefferson County School District R-1, by and through its attorneys, Caplan and Earnest LLC, pursuant to C.A.R. 42(b), respectfully moves to dismiss this appeal. In support of the motion, Plaintiff-Appellant states as follows:

1. Pursuant to C.A.R. 42(b), undersigned counsel conferred with counsel for Defendant City of Lakewood and counsel for Intervenor Defendants by email. Counsel for the City of Lakewood does not oppose this motion and agrees with the allocation of fees and costs. Counsel for Intervenors had not responded by the time this motion was filed.

2. Jefferson County School District R-1 desires to withdraw the Notice of Appeal and Designation of Record, and otherwise dismiss this appeal.

3. The parties are responsible for their own fees and costs relating to this appeal.

WHEREFORE, Jefferson County School District R-1 respectfully requests that the Court grant its Motion to Withdraw Notice of Appeal and Designation of Record and dismiss this appeal.

Respectfully submitted this 21st day of March, 2014.

CAPLAN AND EARNEST LLC

By: s/ W. Stuart Stuller
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Attorneys for Appellant
Jefferson County School District R-1

CERTIFICATE OF SERVICE

I certify that on this 21st day of March, 2014, a true and correct copy of the foregoing MOTION TO WITHDRAW NOTICE OF APPEAL AND DESIGNATION OF RECORD was electronically filed and served to the following:

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