

DISTRICT COURT, DENVER COUNTY, COLORADO		DATE FILED: February 11, 2022 1:47 PM CASE NUMBER: 2022CV30137
Court Address: 1437 BANNOCK STREET, RM 256, DENVER, CO, 80202		
Plaintiff(s) DILLON CO LLC		<p style="text-align: center;">△ COURT USE ONLY △</p> Case Number: 2022CV30137 Division: 409 Courtroom:
v. Defendant(s) UNITED FOOD AND COMM WORKERS UNION et al.		
Order Granting Plaintiff's Unopposed Motion for Dismissal with Prejudice		

The motion/proposed order attached hereto: GRANTED.

THIS MATTER comes before the Court on Plaintiff Dillon Companies, LLC d/b/a King Soopers' Unopposed Motion for Dismissal with Prejudice, filed herein on February 9, 2022. The Court, upon review of the Motion, the file, and being fully advised in the premises;

HEREBY ORDERS that Plaintiff's Motion is GRANTED. The above-captioned matter is dismissed with prejudice, each party to bear its own costs and attorneys' fees.

IT IS FURTHER ORDERED that the Temporary Restraining Order previously issued in this matter has been dissolved.

Issue Date: 2/11/2022



MARIE AVERY MOSES
District Court Judge

DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO Court Address: 1437 Bannock Street Denver, Colorado 80202	
Plaintiff: DILLON COMPANIES, LLC d/b/a KING SOOPERS Defendants: UNITED FOOD AND COMMERCIAL WORKERS UNION LOCAL NO. 7; ALL THOSE ACTING IN CONCERT WITH LOCAL NO. 7; and DOES 1-8000	<input type="checkbox"/> COURT USE ONLY <input type="checkbox"/>
Attorneys for Plaintiff Raymond M. Deeny #8683 Patrick R. Scully #29343 Heather F. Vickles #22095 James S. Korte #51196 Carissa J. Davis #54100 Sherman & Howard L.L.C. 675 Fifteenth Street, Suite 2300 Denver, CO 80202 Telephone: (303) 297-2900 Fax: (303) 298-0940 E-Mail: Rdeeny@shermanhoward.com Pscully@shermanhoward.com Hvickles@shermanhoward.com Jkorte@shermanhoward.com Cdavis@shermanhoward.com	Case Number: 2022CV30137 Div.: Ctrm.: 409
PLAINTIFF’S UNOPPOSED MOTION FOR DISMISSAL WITH PREJUDICE	

Plaintiff Dillon Companies, LLC d/b/a King Soopers (“King Soopers”), pursuant to Colo. R. Civ. P. 41(a)(2), submits the following Unopposed Motion for Dismissal with Prejudice:

1. Local Rule 121, Section 1-15.8. Certification. Plaintiff hereby certifies that undersigned counsel has conferred with counsel for Defendant United Food and Commercial Workers Union Local No. 7 (the “Union”), who has indicated that Defendant does not oppose Plaintiff’s motion.

2. On Friday, January 21, 2022, Plaintiff and Defendant reached a Tentative Agreement on a new three-year collective bargaining agreement. On that date, the Union directed its members to cease picketing activities pending ratification of the Tentative Agreement.

3. As part and parcel of the Tentative Agreement, the parties agreed to execute a Global Settlement, Release, and Return to Work Agreement.

4. The Tentative Agreement was ratified, and the issues that are the subject of this action have been resolved. As such, the Temporary Restraining Order previously issued in this matter has been dissolved.

Therefore, Plaintiff respectfully requests the Court dismiss this matter with prejudice, each party to bear its own costs and attorneys' fees.

Respectfully submitted this 9th day of February, 2022.

SHERMAN & HOWARD L.L.C.

s/ Heather Fox Vickles

Raymond M. Deeny #8683
Patrick R. Scully #29343
Heather F. Vickles #22095
James S. Korte #51196
Carissa J. Davis #54100
Sherman & Howard L.L.C.
675 Fifteenth Street, Suite 2300
Denver, CO 80202
Telephone: (303) 297-2900
Fax: (303) 298-0940
E-Mail: Rdeeny@shermanhoward.com
Pscully@shermanhoward.com
Hvickles@shermanhoward.com
Jkorte@shermanhoward.com
Cdavis@shermanhoward.com
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of February, 2022, a true and correct copy of the foregoing **PLAINTIFF'S UNOPPOSED MOTION TO DISMISS WITH PREJUDICE** was e-filed and served via the Colorado Court E-filing system upon the following:

Mathew S. Shechter, Esq.
General Counsel
United Food and Commercial Workers, Local 7
7760 W. 38th Avenue, Suite 400
Wheat Ridge, CO 80033
mshechter@ufew7.com

Samantha L. Palladino, Esq.
Associate General Counsel
United Food and Commercial Workers, Local 7
7760 W. 38th Avenue, Suite 400
Wheat Ridge, CO 80033
spalladino@ufew7.com

s/ Mary Ann Meise

Mary Ann Meise, Practice Assistant