

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

ESTATE OF JERRY L. BYLER,

Plaintiff,

vs.

ALASKAN LEADER, Official No.
558697, its Engines, Machinery,
Appurtenances, etc., *In Rem*,

Defendant,

CITY AND BOROUGH OF
YAKUTAT,

Intervenor.

Case No. 3:10-cv-00055-HRH-JDR

**RECOMMENDATION REGARDING
STIPULATION FOR DISMISSAL
WITH PREJUDICE**

Docket 218

The Plaintiff filed two Status Reports with the court indicating the parties' intent to settle this matter. Dockets 215 & 217. The Plaintiff now indicates that the City and Borough of Yakutat has released the mortgage it holds on one of

the vessels (in order to satisfy two judgements against the F/V Alaskan Leader).¹ Counsel for the Plaintiff has received the necessary funds to resolve the matter. The Plaintiff filed a *Stipulation for Dismissal With Prejudice* at Docket 218. Therein, the Plaintiff states that the parties have stipulated to dismissal with prejudice pursuant to settlement and without fees or costs to any party.

The magistrate judge hereby recommends that the Stipulation for Dismissal With Prejudice be GRANTED, the case be DISMISSED and that any pending motions be DENIED AS MOOT.²

In the interest of justice and in order to expedite the business of the court, this Recommendation is filed as a Final Recommendation with no objections to follow.

DATED this 18th day of October, 2011, at Anchorage, Alaska.

/s/ John D. Roberts
JOHN D. ROBERTS
United States Magistrate Judge

¹See *Plaintiff's Updated Status Report*, Docket 217.

²The Intevenor, CBY, filed a Motion for Summary Judgment at Docket 196.