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Based upon the foregoing, **IT IS HEREBY ORDERED:**

1. Defendants' motion to dismiss their counterclaims against Plaintiff (Doc. 78) is **GRANTED;**
2. Defendants' counterclaims are **DISMISSED** without prejudice; and
3. The Clerk of Court is **DIRECTED** to close this matter, as this Order terminates the action in its entirety.

IT IS SO ORDERED.

Dated: October 17, 2016

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE