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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

MARIO CUADRA,

Plaintiff,

v.

GEORGE BROWN SPORTS CLUB-PALM,  
INC.; GEORGE BROWN SPORTS CLUB,  
INC.; JOHNSTON CONTRACTING, INC.;  
AND DOES 1 through 100, inclusive,

Defendants.

AND ALL RELATED MATTERS

CASE NO.: 1:17-cv-01063-DAD-EPG

**ORDER ON STIPULATION TO  
MUTUAL DISMISSAL, WITHOUT  
PREJUDICE, OF AND BETWEEN  
KENNETH GLEN CLARK DBA  
CLARK INSTALLATION AND  
AMERICAN SPECIALTIES, INC.  
FROM THEIR THIRD-PARTY CROSS  
CLAIMS, RESPECTIVELY, AND  
WAIVER OF COSTS**

(ECF No. 64)

On July 23, 2018, the parties filed a stipulation to dismiss American Specialties, Inc. from Kenneth Glen Clark dba Clark Installation's Cross-Claim, without prejudice, and to dismiss Kenneth Glen Clark dba Clark Installation from American Specialties, Inc.'s First Amended Cross-Claim without prejudice. The Stipulation was signed by all the parties: Third-Party Defendant/Third-Party Cross-Claimant/Cross-Defendant Kenneth Glen Clark dba Clark Installation, Third-Party Defendant/Cross-Claim Defendant/Cross-Claimant American Specialties, Inc., Plaintiff Mario Cuadra, Defendant/Third-Party Plaintiff Johnston Contracting, Inc., Defendants George Brown Sports Club, Inc. and George Brown Sports Club Palm, Inc., and Third-Party Defendant/Third Party Plaintiff/Cross Defendant WCM, Inc. dba Tec-Spec Constructors. Accordingly, American Specialties, Inc. is dismissed from Kenneth Glen Clark dba

1 Clark Installation's Cross-Claim, without prejudice, and Kenneth Glen Clark dba Clark  
2 Installation is dismissed from American Specialties, Inc.'s First Amended Cross-Claim without  
3 prejudice. *See* Fed. R. Civ. P. 41(a)(1); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir.  
4 1997); *Concha v. London*, 62 F.3d 1493, 1506 (9th Cir. 1995).

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6 IT IS SO ORDERED.

7 Dated: July 27, 2018

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE

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