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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, and
STATE OF CALIFORNIA, *ex rel.*
BRENT BAILEY, EMILY WADE, and
RICHARD ROE,

Plaintiffs,

v.

GATAN, INC., ROPER INDUSTRIES,
INC. and DOES 1 through 100,
inclusive,

Defendants.

No. 2:12-cv-00106-MCE-CKD

ORDER

Relator and Plaintiff Richard Roe voluntarily moved for an order dismissing himself as a Relator and Plaintiff in this case. Federal Rule of Civil Procedure 41(a) provides that voluntary dismissal is permitted “before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a). Here, no opposing party has filed an answer or a motion for summary judgment, and counsel for Plaintiff Richard Roe has declared that the United States, the State of California, and the two remaining Plaintiffs and Relators consent to the withdrawal and dismissal of Plaintiff and Relator Richard Roe. Withdrawal and dismissal of Plaintiff Richard Roe does not constitute dismissal, withdrawal, or release of claims made on behalf of the real parties


1 in interest, the United States, and the State of California, or made on behalf of the two
2 remaining Plaintiffs and Relators.

3 Accordingly, Plaintiff and Relator Richard Roe's motion to voluntarily withdraw as
4 a party to this case is GRANTED (ECF No. 18) and Richard Roe is withdrawn and
5 dismissed as a party to this case.

6 IT IS SO ORDERED.

7 DATE: May 10, 2013

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MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT