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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF CALIFORNIA

9 WALTER J. TYZ,

10 Plaintiff,

11 v.

12 SHEET METAL WORKERS'  
13 NATIONAL PENSION FUND,

14 Defendant.


No. 2:15-cv-00606-MCE-KJN

**ORDER RE: STIPULATION OF  
DISMISSAL**

15 Pursuant to the parties' Stipulation of Dismissal (Docket No. 9), the Court hereby orders  
16 that this case is dismissed without prejudice, with such dismissal to be deemed with prejudice  
17 upon (i) the commencement and continued payment of Plaintiff's monthly Normal Retirement  
18 Pension benefit in the amount of \$104; and (ii) the payment of \$1,560, plus interest  
19 at the rate of 3% (determined as of the date of payment), which represents the retroactive portion  
20 of Mr. Tyz's Normal Retirement Pension benefit, with an Effective Date of Pension on  
21 September 1, 2014 and payments due through November 30, 2015. Each party shall bear its own  
22 fees and costs. The matter having now been resolved in its entirety, the Clerk of Court is directed  
23 to close the file.

24 IT IS SO ORDERED.

25 Dated: November 19, 2015

26   
27 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
28 UNITED STATES DISTRICT COURT