

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

DUSA PHARMACEUTICALS, INC.,

Plaintiff,

v.

DR. ANDREA WILLEY,

Defendant.

Case No. 2:19-cv-1155-JAM-AC

**ORDER GRANTING JOINT MOTION TO
DISMISS ACTION**

Before this Court is the Joint Motion to Dismiss this action. The Court has reviewed this Joint Motion to Dismiss, and the Motion is hereby **GRANTED**. It is, therefore,

ORDERED that:

1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332 and personal jurisdiction over the parties and venue is proper in the United States District Court for the Eastern District of California pursuant to 28 U.S.C. § 1391(b).

2. This Court shall retain jurisdiction for purposes of enforcing the terms of the parties' confidential Term Sheet.

3. All remaining claims, counterclaims, or affirmative defenses are dismissed with prejudice and each party shall bear its own costs and attorneys' fees.

1 4. No appeal shall be taken from this Joint Motion to Dismiss, the right to appeal having
2 been expressly waived by all parties.

3 IT IS SO ORDERED.

4
5 Dated: January 6, 2021

/s/ John A. Mendez

6 THE HONORABLE JOHN A. MENDEZ
7 UNITED STATES DISTRICT COURT JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28