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 7 DANNY'S CONSTRUCTION COMPANY, LLC

8
 9 **UNITED STATES DISTRICT COURT**
 10 **EASTERN DISTRICT OF CALIFORNIA**

11 KIEWIT INFRASTRUCTURE WEST CO.,
 12 for itself and its subrogated Insurers,

13 Plaintiff,

14 v.

15 SAMSON ROPE TECHNOLOGIES, INC.;
 16 WESSPUR TREE & EQUIPMENT, INC.; and
 DOES 1 to 50,

17 Defendants.

Case No. 2:20-cv-00527-TLN-AC

Judge: Hon. Troy L. Nunley
 Dept: 2

**REQUEST FOR ORDER DISMISSING
 THIRD-PARTY COMPLAINT OF
 DANNY'S CONSTRUCTION
 COMPANY, LLC'S AGAINST SAMSON
 ROPE TECHNOLOGIES, INC. AND
 WESSPUR TREE & EQUIPMENT, INC
 PURSUANT TO SETTLEMENT**

[Proposed] ORDER

[Fed. R. Civ. P. 41(a)(2)]

Complaint Filed: November 14, 2019

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 19 AND RELATED THIRD-PARTY ACTIONS.
 20

21 Third-Party Defendant and Third-Party Plaintiff Danny's Construction Company, LLC
 22 ("Danny's") respectfully requests, pursuant to Rule 41(a)(2) of the Federal Rules of Civil
 23 Procedure, that the Court enter an order dismissing Danny's Third-Party complaint against Third-
 24 Party Defendants Samson Rope Technologies, Inc. ("Samson") and WesSpur Tree & Equipment,
 25 Inc. ("WesSpur"), with prejudice and with each party to bear own costs, fees, and expenses.

26 All parties to this action have entered into a global settlement of this matter, and Danny's
 27 now wishes to dismiss its third-party complaint against Samson and WesSpur in accordance
 28 therewith.

