

1 Patrick J. Mendes, Esq. (Bar No. 181274)
 David P. Ramirez, Esq. (Bar No. 137994)
 2 Richard D. Seely, Esq. (Bar No. 170528)
 TYSON & MENDES, LLP
 3 5661 La Jolla Boulevard
 La Jolla, California 92037
 4 Tel.: (858) 459-4400
 Fax: (858) 459-3864
 5

6 Attorneys for Defendant/Third-Party Plaintiff/Third-Party Defendant, WESSPUR
 TREE EQUIPMENT, INC.

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

11 KIEWIT INFRASTRUCTURE WEST
 CO., INC., for itself and its subrogated
 12 insurers,
 13 Plaintiff,
 v.
 14 SAMSON ROPE TECHNOLOGIES,
 15 INC.; WESSPUR TREE &
 16 EQUIPMENT, INC.; and DOES I
 through 50.
 17 Defendants.

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

**REQUEST FOR ORDER
 DISMISSING THIRD-PARTY
 COMPLAINT OF WESSPUR TREE
 EQUIPMENT, INC. AGAINST
 DANNY’S CONSTRUCTION
 COMPANY, LLC PURSUANT TO
 SETTLEMENT; ORDER**

Complaint Filed: November 14, 2019

18 AND RELATED CROSS-ACTIONS.
 19

20 Defendant/Third-Party Plaintiff/Third-Party Defendant, WESSPUR TREE
 21 EQUIPMENT, INC. (“WesSpur”) respectfully requests, pursuant to Rule 41(a)(2) of
 22 the Federal Rules of Civil Procedure, that the Court enter an order dismissing
 23 WesSpur’s third-party complaint against Third-Party Defendant Danny’s Construction
 24 Company, LLC (“Danny’s”), with prejudice and with each party to bear own costs,
 25 fees, and expenses.

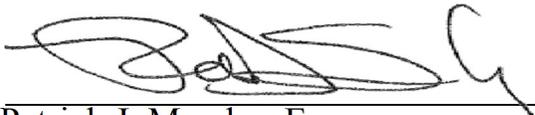
26 Additionally, WesSpur respectfully requests a similar dismissal of WesSpur’s
 27 Cross-Complaint against Samson Rope Technologies (“Samson”), Docket #14,
 28 originally filed in the Central District matter, Case No.: 8:19-cv-02501-DOC-ADS.

1 All parties to this action have entered into a global settlement of this matter,
2 and WesSpur now wishes to dismiss its third-party complaint against Danny's and the
3 Cross-Complaint against Samson in accordance therewith.

4 WesSpur respectfully requests that the Court enter an order accordingly without
5 hearing and in the form of the order below as provided for by Local Rule 143.

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7 Dated: June 7, 2021

TYSON & MENDES, LLP

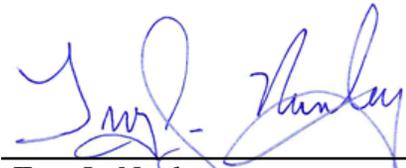
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9 By: 

10 Patrick J. Mendes, Esq.
11 David P. Ramirez, Esq.
12 Richard D. Seely, Esq.
13 Attorneys for Defendant,
14 WESSPUR TREE EQUIPMENT, INC.

15 **ORDER**

16 Pursuant to the foregoing request, IT IS SO ORDERED. Samson Rope
17 Technologies, Inc.'s third-party complaint against Danny's Construction Company,
18 LLC is hereby dismissed with prejudice, with each party to bear own costs, fees, and
19 expenses.

20
21 DATED: June 7, 2021


22 Troy L. Nunley
23 United States District Judge