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

DENNIS C. PAYNE and SUSAN PAYNE,

Plaintiffs,

v.

ABB, INC, et al.

Defendants.

Case No.: 2:20-cv-01198-MCE-AC

**ORDER DISMISSING ACTION  
WITHOUT PREJUDICE AS TO  
DEFENDANT AMERICAN  
COMPRESSOR COMPANY**

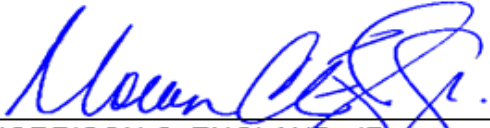
Complaint filed: June 15, 2020

First Amended Complaint filed: September 4,  
2020

Pursuant to the Stipulation to Dismiss Action as to Defendant AMERICAN  
COMPRESSOR COMPANY filed by the parties to this action, it is hereby ordered that  
Plaintiffs' First Amended Complaint for Damages is dismissed as to AMERICAN  
COMPRESSOR COMPANY, without prejudice, each party to bear its own costs. AMERICAN  
COMPRESSOR COMPANY'S Motion to Dismiss (ECF No. 98) is accordingly DENIED as  
moot. This matter remains pending as to other Defendants.

IT IS SO ORDERED.

Dated: February 18, 2021

  
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MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE