

United States District Court
For the Northern District of California

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

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KFD ENTERPRISES, INC.,)	Case No. 08-04571-SC
)	
Plaintiff,)	ORDER GRANTING IN PART AND
)	DENYING IN PART REQUESTS
v.)	FOR DISMISSAL WITH
)	PREJUDICE AS TO WINZLER &
CITY OF EUREKA, et al.)	KELLY CONSULTING ENGINEERS,
)	ENVIRONMENTAL RESOLUTIONS,
Defendants.)	<u>INC., AND CADNO USA INC.</u>
)	
AND RELATED COUNTER- AND CROSS-)	
CLAIMS)	
)	
)	

The Court previously granted a motion for approval of a settlement between KFD Enterprises, Inc. ("KFD") and Winzler & Kelly Consulting Engineers ("WKCE"), as well as another motion for approval of a settlement between KFD and Environmental Resolutions, Inc. and Cardno USA, Inc. (collectively, "ERI"). ECF Nos. 658, 662. KFD now requests dismissal with prejudice as to WKCE and ERI pursuant to the Court's prior orders. ECF Nos. 663, 664. The requests are unopposed but could be more clearly worded. The requests are GRANTED to the extent that KFD seeks dismissal with

1 prejudice as to the pending claims in this action against WKCE and
2 ERI. The requests are also GRANTED to the extent KFD seeks
3 dismissal with prejudice of WKCE and ERI's claims against KFD. The
4 requests are DENIED to the extent that they seek dismissal of all
5 claims against KFD, including those of the City of Eureka.

6
7 IT IS SO ORDERED.

8
9 April 11, 2014



10 UNITED STATES DISTRICT JUDGE

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28