Lake County Grapevine Nursery Operations, LLC et al v. American Nursery, LLC et al Doc. 64

United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LAKE COUNTY GRAPEVINE NURSERY OPERATIONS LLC; LAKE COUNTY GRAPEVINE NURSERY LLC; ECKHARD KAESEKAMP and NEVADA VIEWPOINTE WEST, INC,

Plaintiffs,

v

AMERICAN NURSERY LLC; JOACHIN HOLLERITH and DOES 1-100, inclusive,

Defendants.
_____/

No C 09-4877 VRW

ORDER

On December 13, 2010, plaintiffs moved for dismissal of the above-captioned case. Doc #61. Defendants object to dismissal because they intend to seek confirmation of the arbitrator's award as soon as it is entered. Doc #63. Nevertheless, because defendants have neither answered nor moved for summary judgment, plaintiffs' motion suffices to dismiss the case without prejudice pursuant to FRCP 41(a)(1)(A)(i). The clerk is DIRECTED to terminate all motions and close the file.

IT IS SO ORDERED.

VAUGHN R WALKER
United States District Chief Judge

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