

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JAMES MCGIBNEY, et al.,  
Plaintiffs,  
v.  
THOMAS RETZLAFF, et al.,  
Defendants.

Case No. [14-cv-01059-BLF](#)


**ORDER TERMINATING MOTIONS BY  
DEFENDANT LANE LIPTON**

[Re: ECF 15, 16]

On December 3, 2014, Plaintiffs filed a “Notice of Voluntary Dismissal” dismissing defendant Lane Lipton from this action with prejudice. ECF 107. In light of the dismissal, Lipton’s pending Motion to Dismiss, ECF 15, and Special Motion to Strike Pursuant to Cal. Code Civ. Proc. § 425, ECF 16, are hereby TERMINATED.

**IT IS SO ORDERED.**

Dated: December 4, 2014

  
BETH LABSON FREEMAN  
United States District Judge