

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

In re:

HOKU CORPORATION,

Debtor.

INDUSTRIAL PIPING, INC. and JH
KELLY, LLC,

Plaintiffs,

v.

GARY L. RAINSDON, in his capacity as
the duly-appointed Chapter 7 Trustee of
Hoku Corporation,

Defendant.

GARY L. RAINSDON, in his capacity as
the duly-appointed Chapter 7 Trustee of
Hoku Corporation,

Plaintiff,

v.

INDUSTRIAL PIPING, INC. and JH
KELLY, LLC, and John Does 1 through
10, unknown persons,

Defendants.

Case No. 4:15-cv-433-BLW

ORDER OF DISMISSAL

Based on a stipulation of the parties filed in bankruptcy court, the bankruptcy court previously entered an Order Dismissing First Amended Counterclaim with Prejudice. *See* Dkt. 70 in Case No. 15-8012-JDP. This proceeding, likewise, should be dismissed. Accordingly,

IT IS ORDERED THAT the First Amended Counterclaim, and all causes of action asserted therein (*see* Dkt. 43 in Case No. 15-8012-JDP), is dismissed with prejudice, with all parties to bear their own costs and attorneys' fees.

IT IS FURTHER ORDERED that this Order does not foreclose the Trustee from objecting to, or JH Kelly defending against any objection to, JH Kelly's Proof of Claim filed in Bankruptcy Case No. 13-40837-JDP.



DATED: November 30, 2017

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill

Chief Judge

United States District Court