

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

DEBORAH AND STEVEN
DAUGHETEE,

Plaintiffs,

vs.

CHR. HANSEN, INC., et al.,

Defendants.

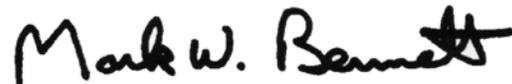
No. C09-4100-MWB

**ORDER REGARDING PLAINTIFF
AND DEFENDANT CHR. HANSEN,
INC.'S JOINT MOTION TO DISMISS**

This case is before me on plaintiffs Deborah and Steven Daughetee and defendant Chr. Hansen, Inc.'s Stipulation for Dismissal of Symrise, Inc. Only Pursuant To Rule 41(a) With Prejudice, On The Merits and Without Costs (docket no. 395). Although the Daughetees and Chr. Hansen have labeled their filing as a stipulation for dismissal, presumably pursuant to Rule 41(a)(1), I construe the filing as a motion for voluntary dismissal, pursuant to Federal Rule of Civil Procedure 41(a)(2), because the filing was not signed by all parties who have appeared in the case. *See, e.g., Williams v. Clarke*, 82 F.3d 270, 272 (8th Cir. 1996); *Woody v. City of Duluth*, 176 F.R.D. 310, 313 (D. Minn. 1997). No resistance to the motion has been filed. The Daughetees and Chr. Hansen's joint motion is granted and the Daughetees' claims against Chr. Hansen are dismissed with prejudice. The Daughetees and Chr. Hansen shall each bear their own costs.

IT IS SO ORDERED.

DATED this 9th day of April, 2013.



MARK W. BENNETT
U. S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA