

**FILED**

MAR 06 2018

Clerk, U.S. District Court  
District Of Montana  
Helena

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA

HELENA DIVISION

ELVIS A. JOHNSON,

Plaintiff,

vs.

PPH MORTGAGE CORPORATION,  
EQUIFAX, INC. and DOES I-V.

Defendant.

No. CV-17-106-H-SEH

**ORDER**

Plaintiff has filed a Notice of Preliminary Settlement with PHH Mortgage Corporation (“Notice”).<sup>1</sup>

Rule 41(a)(2) authorizes a court to dismiss an action against a party, upon Plaintiff’s request, “on terms that the court considers proper.” This Court requires that a request for dismissal of a party contain a statement by Plaintiff’s counsel that all parties have been contacted, and that none oppose the dismissal request.

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<sup>1</sup> Doc. 23.

The Notice does not state whether any parties who have appeared in the case oppose the dismissal.

ORDERED:

The parties shall file a stipulation for dismissal and proposed order of dismissal within thirty (30) days of the date of this Order for the Court's consideration. Included within the stipulation shall be a statement as to whether Defendant Equifax, Inc. has any objection to the dismissal.

DATED this 6<sup>th</sup> day of March, 2018.

  
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SAM E. HADDON  
United States District Judge