

1 DAYLE ELIESON
United States Attorney
2 District of Nevada

3 MARK E. WOOLF
LINDSY M. ROBERTS
4 Assistant United States Attorneys
501 Las Vegas Boulevard South, Suite 1100
5 Las Vegas, Nevada 89101
6 Telephone: 702-388-6336
7 Email: Mark.Woolf@usdoj.gov
Lindsay.Roberts@usdoj.gov

8 *Attorneys for the United States.*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11	ELOISE HERRON,)	
)	
12	Plaintiff,)	Case No. 2:17-cv-03051-GMN-GWF
)	
13	v.)	STIPULATION AND ORDER OF
)	VOLUNTARY DISMISSAL
14	UNITED STATES OF AMERICA, <i>et al.</i> ,)	WITHOUT PREJUDICE
)	
15	Defendants.)	
)	
16)	

17
18 IT IS HEREBY STIPLUATED AND AGREED, by and between Plaintiff Eloise Herron
19 (“Herron”) and Defendant United States of America (“United States”), the complaint filed as
20 against the United States in the above-entitled case by Plaintiff Herron (attached as Exhibit A to
21 the United States’ Petition for Removal, (ECF No. 1)) shall be voluntarily dismissed without

22 ///

23 ///

24 ///

25

26

27

28

1 prejudice.¹ Each party shall bear their own costs and attorney's fees.

2 Respectfully submitted this 22nd day of January 2018.

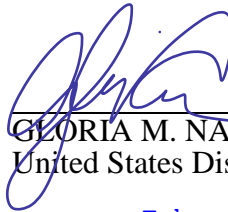
3 DAYLE ELIESON
4 United States Attorney

GLEN LERNER INJURY ATTORNEYS

5 /s/ Mark E. Woolf
6 MARK E. WOOLF
7 LINDSY M. ROBERTS
8 Assistant United States Attorneys

/s/ Joshua L. Benson
9 JOSHUA L. BENSON
10 Attorneys for Plaintiff

11 IT IS SO ORDERED:

12 

13 GLORIA M. NAVARRO
14 United States District Judge

15 DATED: February 1, 2018

16
17
18
19
20
21
22
23
24
25
26 ¹ The United States filed a Notice of Substitution (ECF No. 2) pursuant to 28 U.S.C. § 2679(b)(1) and (d), which
27 provides that suit against the United States, and not an individual, is the exclusive remedy for negligence claims
28 against a government employee arising out of acts performed within the scope of his or her employment.
Individually named Defendant Mister Jonathan Jackson, III, has been certified as acting within the course and scope
of his employment at the time of the incident out of which the claim arises (*see* Exhibit A attached to the United
States' Notice of Substitution), meaning the claims asserted against him are claims against the United States.

CERTIFICATE OF SERVICE

I, Mark E. Woolf, certify that the **STIPULATION AND ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE** was served on all parties via the Court's Electronic Case Filing system.

Dated this 22nd day of January 2018.

/s/ Mark E. Woolf
MARK E. WOOLF
Assistant United States Attorney

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28