

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
KELVIS BORGEN, : 21cv8045 (DLC)  
:  
Plaintiff, : ORDER  
:  
-v- :  
:  
LARRY D. TELL-LEE, JR., :  
:  
Defendant. :

	X
	X
LARRY D. TELL-LEE, JR.,	:
	:
	:
Third-Party	:
Plaintiff	:
	:
-v-	:
	:
MAMADOU DIALLO, et al.,	:
	:
	:
Third-Party	:
Defendants.	:
	:
	X

DENISE COTE, District Judge:

On August 19, 2022, third-party defendant Uber Technologies, Inc. ("Uber") filed its answer to defendant Tell-Lee Jr.'s third-party complaint. On January 13, 2023, the parties filed their proposed joint pretrial order. In the pretrial order, the parties represented that Tell-Lee Jr. "voluntarily discontinued his claims against Uber Technologies

on January 13, 2023." Pursuant to Fed. R. Civ. P. 41(a)(1)(A),  
a

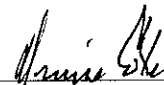
plaintiff may dismiss an action without a court order  
by filing:

- (i) a notice of dismissal before the opposing party  
serves either an answer or a motion for summary  
judgment; or
- (ii) a stipulation of dismissal signed by all  
parties who have appeared.

Accordingly, it is hereby

ORDERED that the parties shall, by January 20, 2023, file a  
stipulation of dismissal of Tell-Lee Jr.'s claims against Uber  
signed by all parties who have appeared in this action.

Dated: New York, New York  
January 17, 2023

  
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DENISE COTE  
United States District Judge