

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
DOCKET NO. 5:16-cv-00198-FDW-DSC

WÄRTSILÄ TECHNOLOGY OY AB and )  
WARTSILA DEFENSE, INC, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
COASTAL SEAL SERVICE, LLC, )  
 )  
Defendant. )  
\_\_\_\_\_ )

ORDER and NOTICE

THIS MATTER is before the Court on the parties' Joint Motion to Dismiss (Doc. No. 39). Although the parties stipulate to dismissal because they have resolved the case via settlement agreement, they request a court order pursuant to Fed. R. Civ. P. 41(a)(2), which allows voluntary dismissal "By Court Order." Comp. Fed. R. Civ. P. 41(a)(1) with Fed. R. Civ. P. 41(a)(2). Pursuant to Rule 41(a)(2), the parties jointly move to dismiss the action *with prejudice*, with each party to bear its own costs and attorney's fees. Their confidential settlement agreement stipulates that the Court shall retain jurisdiction to enforce the terms, conditions, and releases of the Settlement Agreement to the extent reasonable, necessary, and appropriate.

Accordingly, the parties' Joint Motion (Doc. No. 39) is GRANTED. The Court DISMISSES the action with prejudice, with each party to bear its own costs and attorney's fees, and RETAINS jurisdiction to enforce the settlement agreement to the extent reasonable, necessary, and appropriate.

IT IS SO ORDERED.

Signed: April 26, 2018



Frank D. Whitney  
Chief United States District Judge

