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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 STANLEY FRANCIS STEVENS,

8 Plaintiff,

9 v.

10 UNITED STATES OF AMERICA,

11 Defendant.

No. 2:CV-13-5025-EFS

ORDER DISMISSING FIRST COUNT

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13 On April 16, 2015, the parties filed a stipulated dismissal of
14 count 1 (negligence in the treatment of Plaintiff's left big toe
15 resulting in amputation of that toe). ECF No. 43. Consistent with
16 the parties' agreement and Federal Rule of Civil Procedure 41(a), **IT**
17 **IS HEREBY ORDERED:** the parties' Stipulation to Dismiss First Count,
18 **ECF No. 43, is GRANTED.** Count 1 is **DISMISSED WITH PREJUDICE,** with all
19 parties to bear their own costs and attorneys' fees with regard to
20 Count 1.

21 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this
22 Order and provide copies to all counsel.

23 **DATED** this 21st day of April 2015.

24
25 s/Edward F. Shea

EDWARD F. SHEA

Senior United States District Judge