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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, *ex rel.* Maryanne Zukowski; and
MARYANNE ZUKOWSKI, *qui tam*
as Relator,

Plaintiffs,

v.

THE CITY OF PASCO, a Washington
municipality,

Defendant.

NO: 13-CV-5073-TOR

ORDER GRANTING VOLUNTARY
DISMISSAL WITHOUT PREJUDICE

BEFORE THE COURT is Plaintiff's Notice of Dismissal by Relator (ECF No. 10). *Qui tam* plaintiff Maryanne Zukowski, *ex rel.*, with the consent of the United States, filed a notice of voluntary dismissal without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) on July 7, 2014. Because Defendant has not yet been served the complaint, nor has Defendant filed an

1 answer nor moved for summary judgment, Plaintiff has an absolute right to
2 voluntarily dismiss this case. Fed. R. Civ. P. 41(a)(1)(A)(i).

3 **IT IS HEREBY ORDERED:**

4 All claims and causes of action in this matter are **DISMISSED** without
5 prejudice and without costs or fees to any party. All pending motions are
6 **DENIED** as moot.

7 The District Court Executive is hereby directed to enter this Order, furnish
8 copies to counsel, and **CLOSE** the file.

9 **DATED** July 7, 2014.



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Thomas O. Rice
THOMAS O. RICE
United States District Judge