

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 02, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

THOMAS TABBERT,

No. 2:15-CV-00039-SMJ

Plaintiff,

ORDER DISMISSING CASE

v.

HOWMEDICA OSTEONICS
CORPORATION d/b/a STRYKER
HOWMEDICA OSTEONICS, a New
Jersey corporation,

Defendant.

HOWMEDICA OSTEONICS
CORPORATION,

Third-Party Plaintiff,

v.

MICROPORT ORTHOPEDICS, INC.,
and ROCKY MOUNTAIN MEDICAL
DISTRIBUTORS, INC.,

Third-Party Defendants.

On January 31, 2018, the parties filed a stipulated motion to dismiss, ECF No. 379. Consistent with the parties' agreement and Federal Rule of Civil Procedure 41 and Local Rule 41.1, and stipulation of all parties, the parties moved

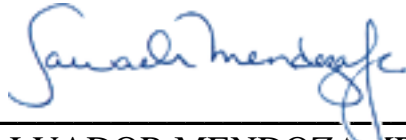
1 for an order dismissing all claims, all counterclaims and all third-party claims.
2 Third-Party defendants MicroPort Orthopedics, Inc. and Rocky Mountain Medical
3 Distributors, Inc. filed a notice of settlement. ECF No. 348. Plaintiff Tabbert and
4 Defendant Howmedica Osteonics, Corporation filed a notice of settlement. ECF
5 No. 373.

6 **IT IS HEREBY ORDERED:**

- 7 1. The parties' Stipulated Motion to Dismiss, **ECF No. 379**, is
8 **GRANTED.**
- 9 2. All claims are **DISMISSED WITH PREJUDICE**, with all parties
10 to bear their own costs and attorneys' fees.
- 11 3. All pending motions are **DENIED AS MOOT.**
- 12 4. All hearings and other deadlines are **STRICKEN.**
- 13 5. The Clerk's Office is directed to **CLOSE** this file.

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

16 **DATED** this 2nd day of February 2018.

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SALVADOR MENDOZA, JR.
19 United States District Judge
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