

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

**Jun 16, 2016**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

<p>KELLY WALLACE,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>GRANT COUNTY FIRE DISTRICT NO. 5, a public agency in the State of Washington and PATRICK HOCHSTATTER, individually and his marital community,</p> <p style="text-align: center;">Defendants.</p>	<p>No. 2:15-CV-0108-SMJ</p> <p><b>ORDER GRANTING STIPULATION FOR DISMISSAL OF PLAINTIFF'S NIED CLAIM AGAINST BOTH DEFENDANTS</b></p>
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No. 2:15-CV-0108-SMJ

**ORDER GRANTING  
STIPULATION FOR DISMISSAL  
OF PLAINTIFF'S NIED CLAIM  
AGAINST BOTH DEFENDANTS**

Before the Court, without oral argument, is the Stipulation for Dismissal of Plaintiff's NIED Claim Against Both Defendants, ECF No. 35. The parties move for dismissal of Plaintiff's negligent infliction of emotional distress claims against both defendants, set forth in the Complaint for Damages and Further Relief as the Third Cause of Action. Consistent with the parties' agreement and Federal Rule of Civil Procedure 41(a) (1) (A) (ii),


**IT IS HEREBY ORDERED:**

- The parties' Stipulation for Dismissal of Plaintiff's NIED Claim Against Both Defendants, **ECF No. 35**, is **GRANTED**.

1 2. Plaintiff's negligent infliction of emotional distress claims against  
2 both defendants, set forth in the Complaint for Damages and Further  
3 Relief as the Third Cause of Action, are **DISMISSED WITH**  
4 **PREJUDICE**, with all parties to bear their own costs and attorneys'  
5 fees.

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

8 **DATED** this 16th day of June 2016.

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10 SALVADOR MENDEZ, JR.  
11 United States District Judge  
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