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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 TAMRA FRIESKE and BERNARD  
8 HENRI ELDREDGE, individually and  
9 on behalf of all others similarly  
10 situated,

11 Plaintiffs,

12 v.

13 LIFE ALERT EMERGENCY  
14 RESPONSE, INC., a California  
15 corporation, and JOHN DOES 1-20,

16 Defendants.

NO: 2:15-CV-0179-TOR

ORDER OF DISMISSAL WITHOUT  
PREJUDICE

17 BEFORE THE COURT is Plaintiff's Notice of Voluntary Dismissal (ECF  
18 No. 4). Plaintiff filed a notice of voluntary dismissal pursuant to Federal Rule of  
19 Civil Procedure 41(a)(1)(A)(i) on August 19, 2015. Because Defendant Life Alert  
20 Emergency Response, Inc. has neither filed an answer nor moved for summary  
judgment, Plaintiff has an absolute right to voluntarily dismiss this case.<sup>1</sup> See Fed.

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<sup>1</sup> The John Doe defendants have not been named.

1 R. Civ. P. 41(a)(1)(A)(i). No class has been certified in this matter; thus, Rule  
2 23(e)'s exceptions do not apply.

3 **IT IS ORDERED:**

4 1. All claims and causes of action in this matter are **DISMISSED** without  
5 prejudice and without costs or fees to any party.

6 2. All pending motions are denied as moot and hearing dates stricken from  
7 the Court's calendar.

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

10 **DATED** August 20, 2015.



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