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The Honorable Salvador Mendoza, Jr.

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

Jan 06, 2016

SEAN F. MCAVOY, CLERK

Attorneys for Defendants

10
 11 **UNITED STATES DISTRICT COURT**
 12 **EASTERN DISTRICT OF WASHINGTON**

13 RYAN LOVELADY AND LACEY L.)
 14 LOVELADY,) No. CV-15-221-SMJ
 15)
 16 Plaintiffs,) ORDER GRANTING JOINT
 17 vs.) MOTION TO DISMISS WITHOUT
 18) PREJUDICE
 19)
 20 GARRY WILL, DBA WILL LOGGING)
 21 AND CONSTRUCTION, TIMM BRAD,)
 22 CASCADE AND COLUMBIA RIVER)
 23 RAILROAD COMPANY,)
 24 RAILAMERICA, INC. GENESEE &)
 25 WYOMING, INC.,)
 26)
 27 Defendants.)
 28)

29 THIS MATTER comes before the Court on the parties' Joint Motion to
 30 Dismiss Without Prejudice, defendants RailAmerica, Inc. and Genesee &

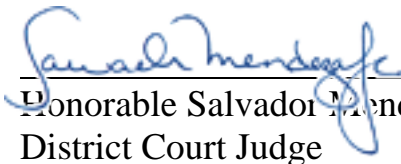
ORDER GRANTING JOINT MOTION TO DISMISS
WITHOUT PREJUDICE - 1

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1 Wyoming, Inc. [16]. The Court has considered the request, the Joint Motion of the
2 Parties, and, finding that good cause exists,
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4 IT IS HEREBY ORDERED that the Joint Motion to Dismiss Without
5 Prejudice is hereby granted [16]. Defendants RailAmerica Inc. and Genesee &
6 Wyoming, Inc. are hereby dismissed from the present matter without prejudice and
7 without cost or attorney fees to any party. Should discovery reveal that the
8 presence in the instant matter of RailAmerica Inc. and Genesee & Wyoming, Inc.
9 becomes necessary, the either or each may be re-joined. This case otherwise
10 remains active as to the claims between plaintiffs Ryan Lovelady and Lacy L.
11 Lovelady and defendants Garry Will d/b/a Will Logging & Construction, Timm
12 Brad and Cascade & Columbia River Railroad Company.
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16 DATED this 6th day of January, 2016.

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Honorable Salvador Mendoza, Jr.
District Court Judge