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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

PHIL KIVER,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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LYUDMILA KOVALENKO,

Third-Party Plaintiff,

v.

PHIL KIVER,

Third-Party Defendant.

NO. 2:16-CV-0217-TOR

ORDER GRANTING STIPULATED  
MOTION TO DISMISS

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BEFORE THE COURT is Plaintiff/Third-Party Defendant Phil Kiver and  
Third-Party Plaintiff Lyudmila Kovalenko’s Stipulated Motion to Dismiss (ECF

1 No. 33). Third Party Plaintiff and Third-Party Defendant move the court to  
2 dismiss Kovalenko's Third-Party Complaint and all claims brought against Kiver  
3 with prejudice. ECF No. 33 at 1-2. The Court has reviewed the completed  
4 briefing and record and files herein, and is fully informed. For good cause shown  
5 and pursuant to the parties' stipulation, the Motion is GRANTED.

6 **ACCORDINGLY, IT IS HEREBY ORDERED:**

7 Third-Party Plaintiff and Third-Party Defendant's Stipulated Motion to  
8 Dismiss (ECF No. 33) is **GRANTED**. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii)  
9 and the parties' stipulation, Kovalenko's Third-Party Complaint and all claims  
10 brought against Kiver are **DISMISSED WITH PREJUDICE**, each party bearing  
11 its own costs.

12 The District Court Executive is directed to enter this Order, terminate Third-  
13 Party Plaintiff Kovalenko from the case, and furnish copies to counsel.

14 **DATED** October 12, 2017.



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