

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

Dec 22, 2017

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUSTIN HARTER,

Plaintiff,

v.

MEGAN J. BRENNAN, Postmaster
General,

Defendants.

No. 2:16-CV-00438-SMJ

ORDER DISMISSING COUNT 3

On December 22, 2017, the parties filed a Stipulation to Dismiss Count 3 (Plaintiff's prohibited practices claim), ECF No. 39. Consistent with the parties' agreement and Federal Rule of Civil Procedure 41(a), **IT IS HEREBY**

ORDERED:

1. The parties' Stipulation to Dismiss Count 3, **ECF No. 39**, is **GRANTED**.
2. Count 3 of Plaintiff's First Amended Complaint, **ECF No. 19 at 11**, ¶ 4.3, is **DISMISSED WITH PREJUDICE**, with all parties to bear their own costs and attorneys' fees.
3. Defendant's pending Motion for Partial Summary Judgment on Prohibited Practices Claim, **ECF No. 36**, is **DENIED AS MOOT**.

ORDER DISMISSING
PROHIBITED PRACTICES CLAIM - 1

