

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

Oct 23, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DANIEL F. SHIRLEY,

Plaintiff,

v.

BMW OF SPOKANE, a foreign limited
liability company,

Defendant.

No. 2:23-CV-00349-MKD

ORDER OF DISMISSAL

ECF No. 31

Before the Court is a Stipulation of Dismissal with Prejudice, ECF No. 31.

Plaintiff and Defendant BMW of Spokane stipulate to the dismissal of this action, with prejudice and without an award of attorneys' fees or costs to any party.

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), a plaintiff may dismiss an action without court order by filing a stipulation of dismissal signed by all parties who have appeared. The stipulation is signed by all parties who have appeared and who have not already been dismissed from this case.

Accordingly, **IT IS HEREBY ORDERED:**

1 1. The Stipulation of Dismissal with Prejudice, **ECF No. 31**, is
2 **GRANTED.**

3 2. Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulation, all
4 remaining claims are **DISMISSED with prejudice**, without an award of fees or
5 costs.

6 3. All pending motions, if any, are **DENIED as moot.**

7 4. All pending dates and deadlines are **STRICKEN.**

8 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
9 Order, provide copies to the counsel, and **CLOSE the file.**

10 DATED October 23, 2024.

11 *s/Mary K. Dimke*
12 MARY K. DIMKE
13 UNITED STATES DISTRICT JUDGE