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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 AMERICAN FAMILY CONNECT
8 PROPERTY AND CASUALTY
9 INSURANCE COMPANY,

10 Plaintiff,

11 vs.

12 GILBERTO MENDOZA, an individual
13 and Ana LILIA NUNEZ BARAJAS,
14 an individual,

15 Defendants.

NO: 2:23-CV-5126-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE

16 BEFORE THE COURT is the parties' Stipulated Motion to Dismiss Ana
17 Lilia Nunez Barajas and Notice of Voluntary Dismissal of Gilberto Mendoza. ECF
18 No. 10. Plaintiff and Barajas stipulate and agree that all claims should be
19 dismissed without prejudice and without further recovery of any party.

20 Additionally, Plaintiff voluntarily dismisses Gilberto Mendoza as a party
without prejudice and without fees or costs to any party.

1 The Court has reviewed the record and files herein and is fully informed.

2 According to Rule 41(a)(1)(A)(ii), a plaintiff may dismiss an action by filing
3 a stipulation signed by the parties who have appeared. Because Defendant
4 Mendoza has neither filed an answer nor moved for summary judgment, Plaintiff
5 has an absolute right to voluntarily dismiss this case. Fed. R. Civ. P.
6 41(a)(1)(A)(i).

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

8 Pursuant to Rule 41(a)(1)(A) and the parties' stipulation, this action is
9 **DISMISSED** without prejudice and without fees or costs to any party.

10 The District Court Executive is directed to enter this Order and Judgment of
11 Dismissal, furnish copies to counsel, and **CLOSE** the file.

12 DATED November 15, 2023.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge