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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SUE ELLEN DUMDIE, individually and on  
behalf of all others similarly situated,

Plaintiff(s),

v.

WM TRUST I, WM TRUST II, et al.,

Defendant(s).

NO. C08-1251MJP

ORDER ON MOTION TO FILE  
STIPULATED DISMISSAL

10 The above-entitled Court, having received and reviewed:

- 11 1. Defendants' Motion to File Over-length Memorandum  
12 2. Defendants' Memorandum of Points and Authorities in Support of Stipulated Dismissal  
13 3. Stipulated Dismissal Pursuant to Rule 41(a)(1)(A)(ii)

14 and all attached exhibits and declarations, makes the following ruling:

15 IT IS ORDERED that the motion to file overlength brief is GRANTED.

16 IT IS FURTHER ORDERED that the Stipulated Dismissal submitted by the parties pursuant  
17 to FRCP 41(a)(1)(A)(ii) be filed by the Clerk of the Court, and the above-entitled matter be closed.

18 The Court agrees with the parties that FRCP 23(e), as amended in 2003, does not require court  
19 approval or notice to potential class members in the event that a putative class action is dismissed  
20 either voluntarily or by stipulation prior to certification of a class.

21 The clerk is directed to provide copies of this order to all counsel of record.

22 Dated: April \_\_7\_\_, 2009

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Marsha J. Pechman  
U.S. District Judge

25  
26 **ORD ON STIP  
DISMISSAL- 1**