

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

## TRADER JOE'S COMPANY,

CASE NO. C13-768 MJP

Plaintiff,

## ORDER ON MOTION FOR VOLUNTARY DISMISSAL

V.

MICHAEL NORMAN HALLATT,

Defendant.

The above-entitled Court, having received and reviewed:

1. Plaintiff's Motion for Voluntary Dismissal (Dkt. No. 121);
2. Defendant's Response to Plaintiff's Motion for Voluntary Dismissal (Dkt. No. 124);
3. Plaintiff's Reply in Support of Motion for Voluntary Dismissal (Dkt. No. 125);

all attached declarations and exhibits, and relevant portions of the record, rules as follows:

IT IS ORDERED that the motion is GRANTED; this matter is DISMISSED with prejudice.

1 IT IS FURTHER ORDERED that any pending motions in the matter are STRICKEN as  
2 moot.

3 Plaintiff has moved for a voluntary dismissal with prejudice of its claims against  
4 Defendant. “A district court should grant a motion for voluntary dismissal of its claims under  
5 Rule 41(a)(2) unless a defendant can show that it will suffer some plain legal prejudice as a  
6 result.” Smith v. Lenches, 263 F.3d 972, 975 (9th Cir. 2001).

7 Defendant has indicated that he does not oppose the granting of Plaintiff’s motion,  
8 conceding that he “will suffer no legal prejudice from the dismissal of Plaintiff’s claims **with**  
9 **prejudice.**” (Dkt. No. 124, Response at 3; emphasis in original). The Court notes that there are  
10 currently other motions pending in this matter (Defendant’s Motion for Leave to File a  
11 Counterclaim, Dkt. No. 119; and his Motion to Unseal, Dkt. No. 123) which will be rendered  
12 moot by the dismissal of Plaintiff’s claims, but finds that Defendant will suffer no legal prejudice  
13 thereby. Those pending motions will be terminated.

14 Pursuant to Plaintiff’s request and Defendant’s non-opposition, the motion will be  
15 GRANTED and this matter will be DISMISSED with prejudice.

17 The clerk is ordered to provide copies of this order to Defendant and to all counsel.

18 Dated: November 17, 2017.

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21 Marsha J. Pechman  
22 United States District Judge  
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