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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ROBERT KENNY,

Plaintiff,

No. C14-1987 RSM

v.

PACIFIC INVESTMENT MANAGEMENT  
COMPANY LLC, a Delaware limited liability  
company; PIMCO INVESTMENTS LLC,

Defendant.

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE AND  
WITHDRAWAL OF ALL PENDING  
MOTIONS**

Plaintiff Robert Kenny (“Plaintiff”) and Defendants Pacific Investment Management Company LLC and PIMCO Investments LLC (collectively, “Defendants”), through their undersigned counsel of record, hereby stipulate and agree as follows:

The parties hereby withdraw from the Court’s consideration their pending cross-motions for summary judgment and all briefing, declarations, exhibits, and supporting materials offered in support thereof. For the avoidance of doubt, pursuant to LCR 5(g)(6), in light of their withdrawal, the parties request that material currently filed under seal remain sealed. The docket entries withdrawn from consideration are ECF Nos. 151, 152, 153, 154, 155, 156, 157, 160, 161, 162,

STIPULATION AND ORDER  
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(No. CV 14-1987-RSM) – 1

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1 163, 165, 169, 177, 178, 179, 180, 181, 185, 187, 188, 189, 192, 193, 194, 195, 196, 198, 199,  
2 202, 203, 204, 205, 207, 208, 211, and 231.

3 The parties further stipulate and agree that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), this  
4 action should be, and hereby is, dismissed with prejudice and without costs awarded by the Court  
5 to any party.

6 Although the parties agree that this stipulation of dismissal is effective “without a court  
7 order,” Fed. R. Civ. P. 41(a)(1)(A), a proposed Order is enclosed in light of the parties’ withdrawal  
8 of their cross-motions for summary judgment.

9  
10 DATED this 8th day of August, 2018.

11  
12 By: s/ Michael D. Woerner

13 By: s/ Tana Lin

14 By: s/ Laura R. Gerber

15 By: s/ Ian Mensher

16 Michael D. Woerner, WSBA No. 15452

17 Tana Lin, WSBA No. 35271

18 Laura R. Gerber, WSBA No. 34981

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(No. CV 14-1987-RSM) – 2

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*Attorneys for Defendants Pacific Investment  
Management Company LLC and PIMCO  
Investments LLC*

## ORDER

Pursuant to stipulation by the parties, and for good cause shown:

1. The parties' pending cross-motions for summary judgment and all briefing, declarations, exhibits, and supporting materials offered in support thereof are hereby **WITHDRAWN** from consideration, including ECF Nos. 151, 152, 153, 154, 155, 156, 157, 160, 161, 162, 163, 165, 169, 177, 178, 179, 180, 181, 185, 187, 188, 189, 192, 193, 194, 195, 196,

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(No. CV 14-1987-RSM) – 3

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1 198, 199, 202, 203, 204, 205, 207, 208, 211, and 231.

2 2. Any material referenced in paragraph (1) that was filed under seal shall **REMAIN**  
3 **SEALED** and shall not be unsealed.

4 3. The case is **DISMISSED WITH PREJUDICE** pursuant to Federal Rule of Civil  
5 Procedure 41(a)(1)(A)(ii).

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7  
8 **IT IS SO ORDERED** this 12<sup>th</sup> day of October 2018.

9  
10 

11 **RICARDO S. MARTINEZ**  
12 **CHIEF UNITED STATES DISTRICT JUDGE**

13  
14 Presented by:

15  
16 By: s/ Michael D. Woerner

17 By: s/ Tana Lin

18 By: s/ Laura R. Gerber

19 By: s/ Ian Mensher

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(No. CV 14-1987-RSM) – 4

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26 STIPULATION AND ORDER  
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(No. CV 14-1987-RSM) – 5

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