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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

WILLIAM ROPER and CAROL ROPER,
individually and as a marital community,

Plaintiffs,

vs.

BORGWARNER MORSE TEC, INC., et al.

Defendants.

NO. 2:16-cv-01453-TSZ

STIPULATION AND ORDER OF
DISMISSAL WITHOUT PREJUDICE AS
TO DEFENDANT LONE STAR
INDUSTRIES, INC. ONLY

STIPULATION

Plaintiffs William Roper and Carol Roper (“Plaintiffs”) and Defendant Lone Star Industries, Inc. (“Lone Star Industries”), by and through their counsel of record, stipulate that all claims against Lone Star Industries may be dismissed without prejudice and without costs or attorney fees as to any party in the above-captioned matter, reserving to plaintiffs their claims against the other parties.

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1 DATED this 24th day of August, 2017.

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3 NAPOLI SHKOLNIK, PLLC

4 /s/ Christopher P. Gladd
5 Christopher P. Gladd, NYB #2516169
6 (Pro Hac Vice)
7 Counsel for Plaintiffs

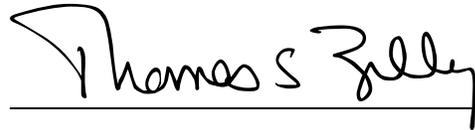
FOLEY & MANSFIELD, PLLP

8 /s/ Howard (Terry) Hall
9 Howard (Terry) Hall, WSBA #10905
10 Counsel for Defendant
11 Lone Star Industries, Inc.

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ORDER

Pursuant to the parties' stipulation, it is hereby ORDERED that all claims against Defendant Lone Star Industries are hereby dismissed without prejudice and without costs or attorney fees as to any party, reserving to plaintiffs their claims against the other parties.

DATED this 25th day of August, 2017.



Thomas S. Zilly
United States District Judge

Presented by:

FOLEY & MANSFIELD, PLLP

1 /s/ Howard (Terry) Hall

2 Howard (Terry) Hall, WSBA #10905
3 Counsel for Defendant Lone Star Industries, Inc.

4 *Approved by:*

5 NAPOLI SHKOLNIK, PLLC

6 /s/ Christopher P. Gladd

7 Christopher P. Gladd, NYB #2516169
8 (*Pro Hac Vice*)
9 Counsel for Plaintiffs