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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,

v.

BORGWARNER MORSE TEC, INC., et.al.

Defendants.

Case No.: 2:16-cv-01453-TSZ

STIPULATION AND ORDER OF
DISMISSAL OF DEFENDANT ZURN
INDUSTRIES, LLC WITHOUT
PREJUDICE

STIPULATION

Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiffs WILLIAM ROPER and CAROL ROPER and Defendant ZURN INDUSTRIES, LLC, by and through their respective counsel, hereby stipulate to the entry of an Order of Dismissal of all claims in this civil action as to Defendant ZURN INDUSTRIES, LLC, without prejudice and with each party bearing its own fees and costs, and reserving to Plaintiffs their claims against all other parties.

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1 This stipulation and agreed order have been approved as to form; notice of presentation
2 and hearing on said Order of Dismissal is hereby waived by the parties.

3 IT IS SO STIPULATED:

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5 Dated this 31st day of May, 2017

6 Dated: May 31, 2017

Dated: May 31, 2017

7 NAPOLI SHKOLNIK, PLLC

RIZZO MATTINGLY BOSWORTH PC

8
9 By: s/Tammy C. Bercenilla

By: s/Allen Eraut

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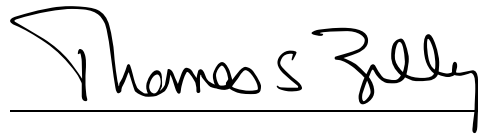
16 and
17 Michael D, Myers
18 WSBA #22486
19 Myers & Company PLLC
20 1530 Eastlake Avenue East
21 Seattle, WA 98102
22 Tel: (206) 398-1188
23 Counsel for Plaintiffs
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1 **ORDER**

2 THIS MATTER having come before the Court by way of the foregoing stipulation by
3 Plaintiffs and Defendant Zurn Industries, LLC to dismiss all claims against Zurn Industries, LLC
4 only without prejudice and without costs and/or attorney fees as to any party, and the Court
5 being fully advised in the premises, now, and therefore it is hereby ORDERED as follows:

6 All claims against Defendant ZURN INDUSTRIES, LLC are hereby dismissed without
7 prejudice, and without costs to either party.
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10 DATED this 1st day of June, 2017.

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13 Thomas S. Zilly
14 United States District Judge
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