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9 UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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11 LOCALS 302 AND 612 OF THE
12 INTERNATIONAL UNIONS OF
13 OPERATING ENGINEERS
CONSTRUCTION INDUSTRY
HEALTH AND SECURITY FUND, et
al.,

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15 Plaintiffs,

16 v.

17 MILLER CONSTRUCTION
COMPANY, LTD.,

18 Defendant.

No. 2:17-cv-00275-RAJ

ORDER

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20 THIS MATTER comes before the Court on Plaintiffs' Motion to Dismiss Case
21 with Prejudice. Dkt. No. 11. Having reviewed the motion, the complaint, the
22 submissions of the parties, the relevant portions of the record, and the applicable law, the
23 Court finds that this matter has been resolved and no issue remains for the Court's
24 determination. This case is **DISMISSED with prejudice and without costs**¹. In the
25 event settlement is not perfected, either party may move to reopen this case, provided

26 ¹ Plaintiffs move that the Court dismiss this case with prejudice and order that Plaintiffs may seek
27 additional damages based on a future audit of Defendant's records. The Court declines to rule on this
issue, as the parties represent that settlement has been reached between the parties and no "case and
controversy" remains for the Court to decide.

1 such motion is filed within 60 days of the date of this Order.

2 DATED this 9th day of April, 2018.

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A handwritten signature in black ink, reading "Richard A. Jones". The signature is written in a cursive style and is positioned above a horizontal line.

The Honorable Richard A. Jones
United States District Judge

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