

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SAMUEL PRICE STUART and ANITA
LOUISE STUART, husband and wife,

Plaintiffs,

vs.

ABB, INC., et al.,

Defendants.

Civil Action No. 2:17-cv-01508-TSZ

**STIPULATION AND ORDER OF
DISMISSAL WITHOUT PREJUDICE AS
TO DEFENDANT AMERICAN
ELECTRIC POWER COMPANY, INC.
ONLY**

STIPULATION

Plaintiffs and Defendant American Electric Power Company, Inc. hereby stipulate that all claims against American Electric Power Company, Inc. only may be dismissed without prejudice and without costs and/or attorney fees as to either party.

SHROETER, GOLDMARK & BENDER;
DEAN OMAR AND BRANHAM, LLP

LEWIS BRISBOIS BISGAARD & SMITH LLP

s/ Benjamin H. Adams

s/ Marc M. Carlton

Thomas A. Breen, WSBA #34574
Lucas Garrett, WSBA #38452
Benjamin H. Adams (Pro hac vice)
David W. Henderson (Pro hac vice)
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George S. Pitcher, WSBA #27713
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Attorneys for Defendant American Electric
Power Company, Inc. as successor-in-interest to
American Gas & Electric Company

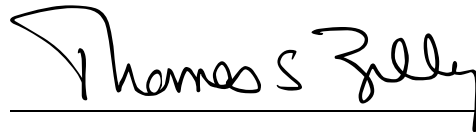
1 **ORDER OF DISMISSAL**

2 THIS MATTER having come before the Court by way of stipulated motion by the
3 Plaintiffs and Defendant American Electric Power Company, Inc. to dismiss all claims against
4 American Electric Power Company, Inc. only without prejudice and without costs and/or
5 attorney fees as to any party, and the Court being fully advised in the premises, now, and
6 therefore it is hereby ORDERED as follows:

7 All claims against Defendant American Electric Power Company, Inc. only are hereby
8 dismissed without prejudice and without costs or attorney fees as to any party.

9 FURTHER, the Court finds that there is no just reason for delaying entry of final
10 judgment in regard to Defendant American Electric Power Company, Inc. Based on the
11 foregoing finding, the Court hereby directs that pursuant to FRCP 54(b) final judgment be
12 entered dismissing all claims against the Defendant American Electric Power Company, Inc.

13 DONE this 17th day of November, 2017.

14 

15
16 Thomas S. Zilly
United States District Judge

17 **PRESENTED BY:**
LEWIS BRISBOIS BISGAARD & SMITH LLP

18 s/ Marc M. Carlton

19 George S. Pitcher, WSBA #27713

Marc M. Carlton, WSBA #40069

20 Attorneys for Defendant American Electric Power Company, Inc. as successor-in-interest to
American Gas & Electric Company

21 **APPROVED AS TO FORM AND CONTENT BY:**

22 SHROETER, GOLDMARK & BENDER; and
23 DEAN OMAR AND BRANHAM, LLP

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