

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

BUILDING TRADES UNITED  
PENSION TRUST FUND, SCOTT J.  
REDMAN, WISCONSIN PIPE TRADES  
HEALTH FUND, and KEVIN LAMERE,

Plaintiffs,

v.

UNI-PUMP INC.,

Defendant.

Case No. 17-CV-385-JPS

**ORDER**

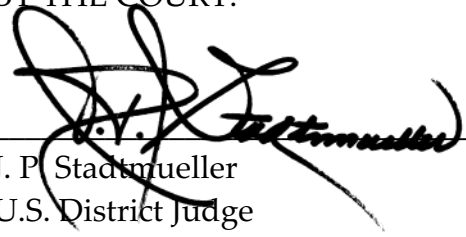
On March 15, 2017, Plaintiffs filed this action arising under the Employee Retirement Income Security Act. (Docket #1). Defendant was served with process on April 6, 2017, but has not yet responded to the complaint. *See* (Docket #6). On May 31, 2017, Plaintiffs filed a notice of voluntary dismissal of this action without prejudice. (Docket #8). Because Defendant has not yet appeared in this action or responded to the complaint, the Court will adopt Plaintiffs' notice. *See* Fed. R. Civ. P. 41(a)(1)(A)(i).

Accordingly,

**IT IS ORDERED** that Plaintiffs' notice of voluntary dismissal (Docket #8) be and the same is hereby **ADOPTED**; this action be and the same is hereby **DISMISSED without prejudice**, each party to bear its own costs.

Dated at Milwaukee, Wisconsin, this 31st day of May, 2017.

BY THE COURT:



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J. P. Stadtmueller  
U.S. District Judge