

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

)	
)	
STATE OF NORTH DAKOTA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:16-cv-02478 (RCL)
)	
UNITED STATES DEPARTMENT OF)	
THE INTERIOR, <i>et. al.</i> ,)	
)	
Defendants.)	
)	

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff State of North Dakota (“North Dakota”) hereby dismisses all causes of action in the complaint against Defendants United States Department of the Interior, Office of Surface Mining Reclamation and Enforcement; Sally Jewel, Secretary of the Interior; Office of Surface Mining Reclamation and Enforcement; Joseph Pizarchik, Director, Office of Surface Mining Reclamation and Enforcement (together, “Federal Defendants”) without prejudice. The Federal Defendants have filed neither an answer to the complaint nor a motion for summary judgment as to any of the claims in North Dakota’s complaint. Thus, dismissal without prejudice under Rule 41(a)(1) is appropriate.

Dated: April 25, 2017

Respectfully submitted,

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/s/ Paul M. Seby _____

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CERTIFICATE OF SERVICE

I hereby certify that, on April 25, 2017, I filed with the United States District Court for the District of Columbia the foregoing Notice of Voluntary Dismissal Without Prejudice via the Court's CM/ECF system, which will send a notice of the filing to all registered CM/ECF users.

s/ Paul M. Seby _____

Paul M. Seby

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ORDER

The Court, having considered Plaintiff’s April 25, 2017 Notice of Voluntary Dismissal without Prejudice, hereby orders that the motion is GRANTED, and further

ORDERS that Defendants United States Department of the Interior, Office of Surface Mining Reclamation and Enforcement; Sally Jewel, Secretary of the Interior; Office of Surface Mining Reclamation and Enforcement; Joseph Pizarchik, Director, Office of Surface Mining Reclamation and Enforcement are hereby dismissed without prejudice.

SIGNED on this ___ day of _____, 2017.

U.S. District Judge