

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
Harrisburg Division**

TAMMY C. WESSNER,

Plaintiff,

v.

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
COUNCIL 13, *et al.*,

Defendants.

Case No. 1:19-cv-0537-SHR

(Hon. Sylvia H. Rambo)

**PLAINTIFF'S NOTICE OF
VOLUNTARY DISMISSAL OF
ACTION**

--ELECTRONICALLY FILED--

TO THE HONORABLE COURT:

AND NOW, this 11th day of September, 2019, Plaintiff Tammy C. Wessner files this Notice of Voluntary Dismissal of Action pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, and in support thereof respectfully states as follows:

1. Plaintiff filed this action on March 27, 2019, alleging a claim and seeking relief against Defendants American Federation of State, County and Municipal Employees, Council 13; David R. Fillman, Executive Director of Council 13; Commonwealth of Pennsylvania, Department of Human Services; Teresa D. Miller, in her official capacity as the Secretary of the Pennsylvania Department of Human

Services; Thomas W. Wolf, in his official capacity as Governor of the Commonwealth of Pennsylvania; Michael Newsome, in his official capacity as Secretary of the Pennsylvania Office of Administration; and Anna Maria Kiehl, in her official capacities as the Chief Accounting Officer for the Commonwealth of Pennsylvania and Deputy Secretary for the Office of Comptroller Operations.

2. Pursuant to Rule 41(a)(1)(A)(i), a Plaintiff may voluntarily dismiss an action against a defendant without a court order by filing a notice of dismissal before the opposing parties have served either an answer or a motion for summary judgment. No defendant hereto has served either an answer or a motion for summary judgment in this matter.

3. Therefore, given that Plaintiff and Defendants have reached a settlement of this action and executed settlement agreements between the Parties memorializing the settlement, Plaintiff voluntarily dismisses this action with prejudice in its entirety by the filing of this Notice of Voluntary Dismissal of Action.

4. Accordingly, this Notice constitutes, without further order of the Court, the dismissal of the above-captioned action with prejudice.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

Dated: September 11, 2019

Respectfully submitted,

s/Nathan J. McGrath

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I, Nathan J. McGrath, hereby certify that I have this day caused a true and correct copy of the foregoing *Plaintiff's Notice of Voluntary Dismissal of Action* to be served via the Court's CM/ECF system on:

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Dated: September 11, 2019

s/Nathan J. McGrath

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