



In the Matter of:

KEVIN JAMES,

ARB CASE NO. 97-034

COMPLAINANT,

ALJ CASE NO. 94-WPC-4

v.

DATE: July 23, 1997

KETCHIKAN PULP COMPANY,

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

FINAL ORDER OF DISMISSAL

This case arises under the Water Pollution Control Act (WPCA), 33 U.S.C. § 1367 (1988). The parties have submitted a letter stipulating resolution of their dispute and requesting dismissal of the complaint. The stipulation appears to meet the terms of Fed. R. Civ. P. 41(a)(1)(ii), which has been held applicable in these circumstances. *Bauer v. Power Resources, Inc.*, Case No. 94-ERA-10, Sec. Order, June 24, 1994, slip op. at 1-2; *Galata v. Tennessee Valley Authority*, Case No. 91-ERA-0028, Sec. Order, May 20, 1992, slip op. at 2; *Nolder v. Raymond Kaiser Engineers, Inc.*, Case No. 84-ERA-5, Sec. Order, June 28, 1985, slip op. at 6-7. Accordingly, the complaint in this case is DISMISSED.

SO ORDERED.

DAVID A. O'BRIEN
Chair

KARL J. SANDSTROM
Member

JOYCE D. MILLER
Alternate Member