



In the Matter of:

DONALD DORSEY,

ARB CASE NO. 97-128

COMPLAINANT,

ALJ CASE NO. 96-WPC-3

v.

DATE: September 29, 1997

**GREENBRIAR COUNTY
PUBLIC SERVICE DISTRICT #2,
RESPONDENT.**

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

FINAL ORDER OF DISMISSAL

This case arises under the Federal Water Pollution Control Act, 33 U.S.C. §1367 (1988). The parties submitted a letter to the Administrative Law Judge 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; *Kevin James v. Ketchikan Pulp Company*, Case No. 94-WPC-4, ARB Order of Dis., July 23, 1997. Accordingly, the complaint in this case is DISMISSED.

SO ORDERED.

DAVID A. O'BRIEN
Chair

KARL J. SANDSTROM
Member

JOYCE D. MILLER
Alternate Member