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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

GEORGE PENATE, an individual,

Plaintiff,

CASE NO. 2:16-cv-02785-R-MRW
**ORDER GRANTING
STIPULATION OF DISMISSAL
WITH PREJUDICE**

vs.

[Fed.R.Civ.P. 41(a)(1)(A)(ii)]

BANK OF AMERICA. NATIONAL
ASSOCIATION, a North Carolina
Corporation, and DOES 1-10, inclusive

Defendants.

ORDER GRANTING STIPULATION OF DISMISSAL WITH PREJUDICE

1 **ORDER**

2 Having reviewed and considered the Stipulation of Dismissal with Prejudice of All
3 Claims Asserted by Plaintiff George Penate submitted by Plaintiff George Penate and
4 Defendant Bank of America, N.A.:

5 IT IS HEREBY ORDERED that all of Plaintiff's individual claims asserted in
6 Plaintiff's Complaint in the above-referenced action are dismissed with prejudice
7 pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Pursuant to the Parties'
8 Stipulation, each party shall bear their own respective attorney's fees and costs except as
9 may be explicitly set forth in the Parties' settlement agreement.

10 IT IS FURTHER ORDERED THAT the claims of the similarly situated employees
11 Plaintiff purports to represent, asserted in the Sixth Cause of Action for alleged violation
12 of California Labor Code Section 2698, *et. seq.*, are dismissed without prejudice.

13 **IT IS SO ORDERED.**

14 DATED: January 3, 2017



15 _____
16 HONORABLE MANUEL L. REAL
17 UNITED STATES DISTRICT JUDGE