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

14 ROBERT J. NEELY, individually, and on )  
 behalf of the class of all others similarly )  
 15 situated, )  
 16 Plaintiff, )  
 17 vs. )  
 18 JP MORGAN CHASE BANK, N.A., )  
 19 Defendant. )

Case No. 8:16-cv-01924-AG (KESx)  
 [Assigned to Hon. Andrew J. Guilford]

20 **ORDER ON STIPULATION FOR**  
 21 **DISMISSAL OF ACTION**  
 22 **PURSUANT TO**  
 23 **FED. R. Civ. P §41(a)(1)(A)(ii)**

24 **Action Filed: Oct. 21, 2016**  
 25 **Trial Date: April 2, 2018**

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WHEREAS, Plaintiff Robert J. Neely (“Plaintiff”) filed with the Court a Notice of Settlement on August 24, 2018, (ECF No.124);

WHEREAS, the Court stayed the action pending final settlement, and required Plaintiff and Defendant JPMorgan Chase Bank, N.A. (“JPMC”; with Plaintiff, collectively, the “Parties”) to file settlement documents and/or a dismissal by September 28, 2018, (ECF No. 125);

WHEREAS the Parties have finalized the settlement;

WHEREAS, prior to reaching the settlement, no class was certified, no motion for class certification was filed, and no notice of pendency of this action was communicated to any alleged class members.

NOW, THEREFORE, IT IS STIPULATED AND AGREED, by and between the Parties through their respective counsel:

1. That the action be dismissed with prejudice as to Plaintiff and dismissed without prejudice as to all other alleged class members; and
2. Notwithstanding the foregoing, this Court reserves jurisdiction over the Parties pursuant to Kokkonen v. Guardian Life Insurance Co., 511 U.S. 375 (1994), to enforce the terms of their settlement.

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**PURSUANT TO THIS STIPULATION, IT IS SO ORDERED.**



Dated: September 28, 2018

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Hon. Andrew J. Guilford  
United States District Judge