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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

BIANCA SORIA,)	NO. 1:08-CV-00155-AWI-DLB
)	
Plaintiff,)	ORDER DISREGARDING
)	STIPULATION OF DISMISSAL
v.)	
)	[Document # 31]
UNITED STATES OF AMERICA,)	
KAWEAH DELTA HEALTH CARE)	
DISTRICT, ET AL.,)	
)	
Defendants.)	

On December 20, 2008, Plaintiff Bianca Soria and Defendant Kaweah Delta Health Care District filed a stipulation pursuant to Federal Rule of Civil Procedure 41(a)(1) to dismiss this action with prejudice as to Defendant Kaweah Delta Health Care District only, each party to bear their own costs and fees.

On December 30, 2008, Defendant United States filed an opposition to this dismissal. Voluntary dismissals may be obtained after an answer has been served only with a stipulation of dismissal signed by all parties who have appeared. Fed.R.Civ.P. § 41(a)(1)(ii). Involuntary dismissals may be obtained only by court order, on terms that the court considers proper. Fed.R.Civ.P. § 41(a)(2). Such orders should be obtained by noticed motion pursuant to Local Rule 78-230 before the Judge of the District Court pursuant to Local Rule 72-302(c)(3).

///

1 Defendant United States has not consented to dismissal of Defendant Kaweah Delta
2 Health Care District. Thus, the court will take no action on the stipulation of dismissal.

3 Accordingly, the stipulation will be DISREGARDED.

4
5 IT IS SO ORDERED.

6 **Dated: January 6, 2009**

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE

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