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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VALENTINE E. UNDERWOOD,

Plaintiff,

v.

M. KNOWLES, et al.,

Defendants.

Case No. 1:08-cv-00986-BAM PC

ORDER DIRECTING CLERK OF COURT
TO CLOSE CASE AND ADJUST DOCKET
TO REFLECT VOLUNTARY DISMISSAL

Plaintiff Valentine E. Underwood (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. All parties have consented to magistrate judge jurisdiction. (ECF Nos. 4, 97).

On November 14, 2016, defense counsel filed a stipulation for voluntary dismissal with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (ECF No. 189.) The stipulation is signed by Plaintiff and defense counsel, indicating that the entire action has been resolved, should be dismissed with prejudice, and each side shall bear their own costs. (ECF No. 189.)

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1 Accordingly, the Court HEREBY ORDERS that:

2 1. This action is dismissed with prejudice pursuant to Federal Rule of Civil
3 Procedure 41(a)(1)(A)(ii). Each party is to bear his own costs, fees, and expenses of any type,
4 including attorney's fees. There is no prevailing party in this action;

5 2. The Court shall retain jurisdiction for the sole purpose of enforcement of the
6 terms of the settlement agreement between the parties; and

7 3. The Clerk of the Court is directed to terminate all pending motions and deadlines,
8 and close this case.

9
10 IT IS SO ORDERED.

11 Dated: November 15, 2016

/s/ Barbara A. McAuliffe
12 UNITED STATES MAGISTRATE JUDGE