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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 EXXONMOBIL OIL CORPORATION,

12 Plaintiff,

13 v.

14 NICOLETTI OIL, INC., et al.,

15 Defendants.
16

Case No. 1:09-cv-01498-AWI-SAB

ORDER DIRECTING CLERK OF COURT
TO CLOSE CASE

(ECF No. 211)

17 This action was filed on August 24, 2009. (ECF No. 1.) On February 13, 2017, the
18 Court approved the parties' Purchase and Sale and Settlement Agreement and Mutual Release
19 and retained jurisdiction to enforce the provisions of the Purchase and Sale and Settlement
20 Agreement and Mutual Release and to resolve any disputes arising thereunder or relating thereto.
21 (ECF No. 206.)

22 On July 26, 2017, the parties filed a stipulation dismissing this action with prejudice with
23 each party to bear its own costs and fees subject to the Court's February 13, 2017 order retaining
24 jurisdiction to enforce the provisions of the Purchase and Sale and Settlement Agreement and
25 Mutual Release between the parties and to resolve and disputes arising thereunder or relating
26 thereto. (ECF No. 211.) In light of the stipulation of the parties, this action has been terminated,
27 Fed. R. Civ. P. 41(a)(1)(A)(ii); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997),
28 and has been dismissed with prejudice and without an award of costs or attorneys' fees.

1 Accordingly, the Clerk of the Court is HEREBY ORDERED to CLOSE the file in this
2 case and adjust the docket to reflect voluntary dismissal of this action pursuant to Rule 41(a).
3 The Court retains jurisdiction to enforce the provisions of the Purchase and Sale and Settlement
4 Agreement and Mutual Release and to resolve any disputes arising thereunder or relating thereto.

5
6 IT IS SO ORDERED.

7 Dated: July 27, 2017


UNITED STATES MAGISTRATE JUDGE