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

THE MEAT MARKET, INC., dba
STATE CENTER FOODS,

Plaintiff,

v.

THE AMERICAN INSURANCE CO.;
and DOES 1 through 50, inclusive,

Defendants.

1:11-cv-00983-AWI-SAB

**ORDER DISMISSING ACTION
AND CLOSING CASE**

(Doc. 45)

_____ /

The Court refers the parties to previous orders for a complete chronology of the proceedings. On October 24, 2013, the parties filed a joint stipulation (doc. 45) representing to the Court they had agreed to settle this matter in full and, accordingly, had executed a confidential settlement agreement and general release of claims with each party agreeing to bear its own costs. As part of their compromise, the parties requested (1) a dismissal of the complaint with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1); and (2) that the Court withdraw and strike its March 19, 2013 order (doc. 37) re: summary judgment from the record. In light of the

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stipulation, this case has terminated, *see* Fed. R. Civ. P. 41(a)(1)(A)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997), and is hereby DISMISSED with prejudice and without an award of attorneys' fees and costs to either party. The Court further WITHDRAWS and STRIKES its March 19, 2013 summary judgment order (doc. 37) from the record, and respectfully directs the Clerk of Court to remove said order from the docket and close the case.

IT IS SO ORDERED.

Dated: October 25, 2013



SENIOR DISTRICT JUDGE