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2 **UNITED STATES DISTRICT COURT**
3 **EASTERN DISTRICT OF CALIFORNIA**
4 **FRESNO DIVISION**

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6 WAYNE MARTIN HEISINGER,) Case No.: 1:14-cv-00455-SKO
7 Plaintiff,) **STIPULATION OF DISMISSAL; ORDER**
8 vs.) **THEREON**
9) (Fed. R. Civ. P. 41(a)(1))
10 CAROLYN W. COLVIN,)
Acting Commissioner of Social Security,)
11 Defendant.)

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13 **IT IS HEREBY STIPULATED**, by and between the parties, through their respective
14 counsel of record, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1), as follows:

- 15 1. This action was commenced on March 29, 2014.
16 2. The action is not a class action; a receiver has not been appointed; and the action is
17 not governed by any statute of the United States that requires an order of the Court for
18 dismissal.
19 3. This action is hereby dismissed, in its entirety, without prejudice.

20 Counsel apologizes to the Court and all parties involved for any inconvenience caused by
21 this delay.

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23 Dated: November 17, 2014

Respectfully submitted,
/s/ Jonathan Omar Pena
JONATHAN OMAR PENA
Attorney for Plaintiff

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25
26 Dated: November 17, 2014

BENJAMIN B. WAGNER
United States Attorney
DONNA L. CALVERT
Regional Chief Counsel, Region IX
Social Security Administration

(As authorized via email on 11/17/14)

By: _____

Cynthia B. De Nardi
Assistant Regional Counsel
Office of the General Counsel – Region IX
Attorneys for Defendant

ORDER

As the parties have stipulated to the dismissal of this action without prejudice, the case has terminated pursuant to Rule 41 of the Federal Rules of Civil Procedure. The Clerk of Court is directed to administratively close this case.

IT IS SO ORDERED.

Dated: November 19, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE