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10 Attorneys for Defendant,
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12 **IN THE UNITED STATES DISTRICT COURT**
13 **IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA**

14 JOSHUA WILLARD,

15 Plaintiff,

16 vs.

17 L. MORENO,

18 Defendant.
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) CASE NO:1:14-cv-00521-LJO-JLT PC

) **STIPULATED DISMISSAL WITH**
) **PREJUDICE [FRCP 41(a)(1)]**
) **(Doc. 48)**

21 It is hereby stipulated, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure,
22 by and between Plaintiff JOSHUA WILLARD, appearing *in pro per*, and Defendant L.
23 MORENO, by and through his attorney Shanan L. Hewitt, that this action is dismissed in its
24 entirety with prejudice.

25 In consideration of the Stipulation entered by the above-named parties to the United
26 States District Court Eastern District of California action, *Willard v. Moreno*, Case 1:14-cv-
27 00521-LJO-JLT PC, this action is dismissed with prejudice pursuant to Federal Rule of Civil
28 Procedure 41(a)(1) with the parties mentioned herein to bear their own fees and costs.

1 Dated: June 30, 2017

/s/ Joshua Willard
JOSHUA WILLARD
Plaintiff, In Pro Per

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5 Dated: June 30, 2017

/s/ Shanan L. Hewitt
SHANAN L. HEWITT
Attorney for Defendant
L. MORENO

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9 **ORDER**

10 The parties have stipulated to dismiss this case with each party to bear their own attorney's fees
11 and costs. The stipulation relies upon Rule 41 of the Federal Rules of Civil Procedure, under which "the
12 plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all
13 parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A)(ii).

14 Because all parties who have appeared in the action signed the stipulation, it "automatically
15 terminate[d] the action." Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly,
16 the Clerk of Court is DIRECTED to close this action.

17 **IT IS SO ORDERED.**

18 Dated: June 30, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE