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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ACA INSURANCE COMPANY.,
Plaintiff,
v.
DARREN OSTERHOUT; NEVAEH
WEBB, by and through her guardian ad
litem GREGORY OSTERHOUT and
DOES 1-10,
Defendant.

No. 1:14-CV-01676----MJS

**ORDER DIRECTING CLERK OF COURT
TO CLOSE CASE**

On December 10, 2014, Plaintiff filed a Notice of Voluntary Dismissal with Prejudice of this entire action pursuant to Federal Rule of Civil Procedure 41 (a)(1)(A)(i) which provides in relevant part:

[A] plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary of judgment.

Such a Rule 41 (a)(1) notice of dismissal “automatically terminates the action as to the defendants who are subjects of the notice.” *Wilson v. City of San Jose*, 111F. 3d 688, 692 (9th Cir. 1997).

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Plaintiff's Notice of Dismissal complies with the provisions of Rule 41 (a)(1)(A)(i).
Accordingly, it is ORDERED that this action is DISMISSED in its entirety with prejudice
and the Clerk shall CLOSE the case.

IT IS SO ORDERED.

Dated: December 11, 2014

1st Michael J. Seng
UNITED STATES MAGISTRATE JUDGE