UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

VAQUERO ENERGY, INC., Case No.: 1:15-cv-00967 - JLT Plaintiff, ORDER CLOSING CASE BASED UPON THE STIPULATED DISMISSAL v. (Doc. 48) JEFF HERDA, an individual and doing business as INTEGRATED CONTROL SYSTEMS, BRAXBRO, INC., a Nevada corporation and doing business as INTEGRATED CONTROL SYSTEMS, a corporation, Defendant.

On November 17, 2015, the parties filed a stipulation seeking to dismiss the action. (Doc. 48) The stipulation relies upon Rule 41 of the Federal Rules of Civil Procedure, under which "the 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 judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A). Once such a notice has been filed, an order of the Court is not required for the dismissal. Fed. R. Civ. P. 41(a)(1)(ii); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997). Based upon the foregoing, IT IS HEREBY **ORDERED**:

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- All pending hearings and deadlines are **VACATED**; 1.
- 2. The Clerk of Court is **DIRECTED** to close this action in light of the notice of dismissal

1	with prejudice filed and properly signed pursuant to Rule 41(a)(1)(A)(ii).	
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3	IT IS SO ORDERED.	
4	Dated: November 18, 2015 /s/ Jennifer L. Thurston	
5	UNITED STATES MAGISTRATE JUDG	Е
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