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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MORGAN STANLEY & CO. LLC, et al.,)	Case No.: 1:15-cv-01291 LJO JLT
)	
Plaintiffs,)	ORDER CLOSING CASE
)	(Doc. 59)
v.)	
)	
DAVID COUCH,)	
)	
Defendant.)	
)	

On February 3, 2017, the parties filed a stipulation to dismiss the case. (Doc. 59) The parties agree that the matter will be dismissed with prejudice and that each side will bear their own costs and fees. Id. at 2.

Federal Rules of Civil Procedure Rule 41 provides that “the plaintiff may dismiss an action without a court order by filing: . . . a stipulation of dismissal signed by all parties who have appeared.” . . .” Fed. R. Civ. P. 41(a). Once such a notice has been filed, an order of the Court is not required to make the dismissal effective. Fed. R. Civ. P. 41(a)(1)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the Clerk of Court is DIRECTED to close this action in light of the notice of dismissal with prejudice filed and properly signed pursuant to Rule 41(a).

IT IS SO ORDERED.

Dated: February 7, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE