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

10 FRANKIE CALVIN WILLIAMS,) Case No. 1:15-cv-01347-DAD-JLT
11 Plaintiff,)
12 v.) **STIPULATION FOR DISMISSAL**
13 UNITED STATES OF AMERICA,) **WITH PREJUDICE; PROPOSED**
14 Defendant.) **ORDER CLOSING CASE**
15)
16)

17 Pursuant to the terms of a written settlement and Rule 41(a) of the Rules of Civil Procedure,
18 the parties hereby stipulate that the Complaint filed on September 2, 2015, be dismissed with
19 prejudice, each party to bear their own attorney fees and costs.

20 IT IS SO STIPULATED.

21 Dated: May 11, 2017

PHILLIP A. TALBERT
United States Attorney

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23 By: /s/Jeffrey J. Lodge
JEFFREY J. LODGE
Assistant U.S. Attorney
Attorneys for the United States

24
25 Dated: May 11, 2017

CHAIN COHN STILES

26 (As authorized 05/11/17)
27 By: /s/Matthew C. Clark
MATTHEW C. CLARK
Attorneys for Plaintiff
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[PROPOSED] ORDER

As noted above, the parties have stipulated to dismiss this action with prejudice and with each party to bear their own attorney fees and costs. (Doc. 39) The stipulation relies on Fed. R. Civ.P. 41(a) which provides, “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). Thus, the Clerk of Court is DIRECTED to close this action in light of the stipulation signed pursuant to Rule 41(a).

IT IS SO ORDERED.

Dated: May 11, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE