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14  
 15 **UNITED STATES DISTRICT COURT**  
 16 **EASTERN DISTRICT OF CALIFORNIA—FRESNO DIVISION**  
 17

18 Plaintiffs SANDRA GARYBO and AGUSTIN  
 19 VEGA, on behalf of themselves and all others  
 similarly situated,

20 Plaintiffs,

21 vs.

22 LEONARDO BROS., form unknown,  
 23 GOLDEN WEST LABOR, form unknown,  
 and DOES 1 through 20, inclusive,

24 Defendants.  
 25  
 26  
 27  
 28

Case No. 1:15-cv-01487-DAD-JLT

**ORDER COSING THE CASE AS TO  
 GOLDEN WEST LABOR ONLY; ORDER  
 DISCHARGING THE ORDER TO SHOW  
 CAUSE**

(Docs. 51, 52)

1 **TO THIS HONORABLE COURT AND ALL PARTIES AND THEIR COUNSEL**  
2 **OF RECORD:**

3 Plaintiffs Sandra Garybo and Agustin Vega (“Plaintiffs”) and Defendant Golden West  
4 Labor, through their respective counsel of record, hereby stipulate to the dismissal of all causes of  
5 action as to Defendant Golden West Labor with prejudice in this action.

6 Plaintiffs and Defendant Golden West Labor further stipulate that each party is to bear its  
7 own costs and attorneys’ fees.

8 It is so stipulated.

9  
10 DATED: March 7, 2018

**MALLISON & MARTINEZ**

11  
12 By: /s/ Stan S. Mallison

13 DATED: March 7, 2018

**RAIMONDO & ASSOCIATES**

14  
15 By: /s/ Gerardo Hernandez

16 **ORDER**

17 The parties have stipulated to dismiss the action as to Golden West Labor with each side to  
18 bear their own fees and costs. (Doc. 52) The stipulation relies upon Fed.R.Civ.P. 41, which  
19 permits the plaintiff to dismiss an action without a court order “by filing . . . a stipulation of  
20 dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii). Because the  
21 plaintiffs and Golden West Labor have signed the stipulation (Doc. 52), it “automatically  
22 terminate[d] the action.” Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997).

23 Accordingly, the Clerk of Court is **DIRECTED** to close this action as to Golden West Labor **only**.<sup>1</sup>

24  
25 IT IS SO ORDERED.

26 Dated: **April 4, 2018**

**/s/ Jennifer L. Thurston**  
UNITED STATES MAGISTRATE JUDGE

27  
28 <sup>1</sup> In addition, the order to show cause (Doc. 51) is **DISCHARGED**.