

1 STAN S. MALLISON (Bar No. 184191)
HECTOR R. MARTINEZ (Bar No. 206336)
2 MARCO A. PALAU (Bar. No. 242340)
JOSEPH D. SUTTON (Bar No. 269951)
3 ERIC S. TRABUCCO (Bar No. 295473)
MALLISON & MARTINEZ
4 1939 Harrison Street, Suite 730
Oakland, California 94612-3547
5 Telephone: (510) 832-9999
Facsimile: (510) 832-1101

6 MARIO MARTÍNEZ, (Bar No. 200721)
MARTÍNEZ AGUILASOCHO & LYNCH, APLC
7 P.O. Box 11208
Bakersfield, California. 93389-1208
8 Telephone: (661) 859-1174
Facsimile: (661) 840-6154
9 Attorneys for Plaintiff

10 Anthony Raimondo (Bar No. 200387)
Gerardo Hernandez (Bar No. 292809_)
11 Raimondo & Associates
7080 N. Marks Avenue, Suite 117
12 Fresno, CA 93711
Telephone: (559) 432-3000
13 Facsimile: (559) 432-2242
Attorneys for Defendant Cal West Ag Services, Inc.
14

15 **UNITED STATES DISTRICT COURT**

16 **EASTERN DISTRICT OF CALIFORNIA—FRESNO DIVISION**

18 CARMELA MORA, on behalf of herself
and all others similarly situated,

19 Plaintiffs,

20 vs.

21 CAL WEST AG SERVICES, INC., JON
22 MARTHEDAL, ERIC MARTHEDAL;
and Does 1 through 20, inclusive,

23 Defendants.
24

Case No. 1:15-CV-01490-LJO-EPG

**STIPULATION AND ORDER FOR
DISMISSAL OF DEFENDANT CAL
WEST AG SERVICES, INC. WITH
PREJUDICE**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Carmela Mora and Defendant Cal West Ag Services, Inc., through their respective counsel of record, have stipulated to the dismissal of all causes of action as to Defendant Cal West Ag Services, Inc. with prejudice in this action. Plaintiff and Defendant Cal West Ag Services, Inc. further stipulate that each party is to bear its own costs and attorneys' fees.

The stipulation was signed by counsel for Plaintiff Mora and counsel for Defendant Cal West Ag Services, Inc. Defendants Jon and Eric Marthedal did not sign the stipulation. In order to have effect, Rule 41(a)(1)(A)(ii) requires a "stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A)(ii).

Accordingly, the parties must resubmit a stipulation signed by all parties who have appeared.

IT IS SO ORDERED.

Dated: March 7, 2018

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE