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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ELI LILLY AND COMPANY, an Indiana corporation,

Plaintiff,

v.

JOHN DEREK GITMED, an individual;
HOLLY GITMED, an individual;
FELICIA GITMED, an individual;
ANTHONY POLLINO JR., an individual;
and DOES 1-50, inclusive,

Defendants.

No. 1:16-cv-00178-DAD-SAB

ORDER DIRECTING CLERK OF THE COURT TO TERMINATE DEFENDANT HOLLY GITMED FROM THIS ACTION

(Doc. No. 20)

On May 11, 2016, plaintiff Eli Lilly and Company and defendant Holly Gitmed filed a joint stipulation dismissing defendant Holly Gitmed from this action without prejudice, with each party to bear its own costs and attorneys' fees. (Doc. No. 20.) In light of the parties' stipulation, Holly Gitmed has been dismissed from this action without prejudice and without an award of attorneys' fees and costs to either party. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997).

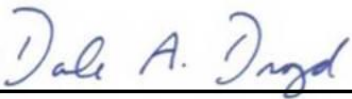
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Accordingly, the Clerk of the Court is directed to terminate defendant Holly Gitmed from this action. This dismissal does not affect the status of the other defendants in the action.

IT IS SO ORDERED.

Dated: May 12, 2016



UNITED STATES DISTRICT JUDGE