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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DENA C. MOTT,
Plaintiff,
v.
UNUM LIFE INSURANCE COMPANY
OF AMERICA,
Defendant.

No. 1:16-cv-00322-DAD-BAM

ORDER VACATING BRIEFING SCHEDULE
AND HEARING DATES AND DIRECTING
PARTIES TO FILE STIPULATION OF
DISMISSAL WITHIN SIXTY DAYS

(Doc. No. 14)

On October 19, 2016, plaintiff filed a “notice of settlement and request for administrative closure” in this action (Doc. No. 14.) Plaintiff represents that defendant authorized plaintiff to submit the notice of settlement. (*Id.* at 1.) Plaintiff “asks to the Court to administratively close this matter, subject to the right of any party to move the Court within 60 days for the entry of a stipulated form of dismissal with prejudice, or on good cause shown, to reopen the case for further proceedings.” (*Id.*)

Defendant has filed an answer in this action (Doc. No. 5), and thus plaintiff may no longer voluntarily dismiss under Federal Rule of Civil Procedure 41(a)(1)(A)(i). *See* FED. R. CIV. P. 41(a); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). The court therefore vacates

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1 the briefing schedule and all future hearing dates and directs the parties within sixty days to
2 either file a stipulation of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

3 IT IS SO ORDERED.

4 Dated: October 27, 2016

Dale A. Floyd

UNITED STATES DISTRICT JUDGE

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