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13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 SERGIO GALINDO, an individual,
16

17 Plaintiff,

18 v.

19 ABS GLOBAL, INC.; PRO VITA EUROTECH
LTD.; PRO VITA ANIMAL HEALTH LLC;
20 DOES 1 through 100,

21 Defendants.
22

Case No. 1:16-CV-00506-AWI-JLT

**AMENDED STIPULATION AND ORDER
DISMISSING DEFENDANTS PRO VITA
EUROTECH LTD., PRO VITA ANIMAL
HEALTH LLC, THEIR AGENTS AND
EMPLOYEES ONLY**
(Doc. 26)

23 IT IS HEREBY STIPULATED by and between the parties, Plaintiff SERGIO GALINDO
24 and Defendant, PRO VITA ANIMAL HEALTH, LLC, through their respective counsel, that this matter
25 will be dismissed with prejudice as to Defendants PRO VITA EUROTECH LTD., PRO VITA
26 ANIMAL HEALTH LLC, their respective agents and employees.
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1 IT IS FURTHER STIPULATED that each party will bear their own attorney's fees and
2 costs.

3 Dated: April 26, 2017

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5 /s/ Randy Rumph (as authorized on 04-26-17)
6 Attorneys for Plaintiff Sergio Galindo

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8 Dated: April 26, 2017

BORTON PETRINI, LLP

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10 /s/ James J. Braze (as authorized on 04-26-17)
11 Attorneys for Defendants Pro Vita Eurotech, Ltd., Pro
12 Vita Animal Health LLC

13 **ORDER**

14 The parties have stipulation to dismiss this action with prejudice, with each party to bear their
15 own attorney fees and costs as to Pro Vita Eurotech Ltd., Pro Vita Animal Health LLC and their
16 respective agents and employees. (Doc. 26) Federal Rules of Civil Procedure 41(a)(1) provides, "the
17 plaintiff may dismiss an action without a court order by filing: . . . a stipulation of dismissal signed by
18 all parties who have appeared." . . ." Fed. R. Civ. P. 41(a). Once such a notice has been filed, an order of
19 the Court is not required to make the dismissal effective. Fed. R. Civ. P. 41(a)(1)(ii); Wilson v. City of
20 San Jose, 111 F.3d 688, 692 (9th Cir. 1997). Thus, the Clerk of Court is DIRECTED to close this action
21 as to Pro Vita Eurotech Ltd., Pro Vita Animal Health LLC and their respective agents and employees
22 **only** in light of the stipulation signed pursuant to Rule 41(a).

23
24 IT IS SO ORDERED.

25 Dated: April 28, 2017

26 /s/ Jennifer L. Thurston
27 UNITED STATES MAGISTRATE JUDGE