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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

SERGIO GALINDO, ) Case No.: 1:16-cv-0506-AWI- JLT  
 )  
Plaintiff, ) ORDER DIRECTING THE CLERK TO CLOSE  
 ) THE ACTION BASED UPON THE PARTIES'  
v. ) STIPULATION TO DISMISS THIS ACTION  
 ) WITH PREJUDICE  
ABS GLOBAL, INC., )  
 ) (Doc. 40)  
Defendant. )  
 )  
AND RELATED CROSS-CLAIMS )  
 )

On December 13, 2017, Plaintiff Sergio Galindo and Defendant ABS Global, Inc., stipulated to dismiss this action with prejudice. (Doc. 40) Pursuant to Rule 41 of the Federal Rules of Civil Procedure, “the plaintiff may dismiss an action without a court order by filing ... a stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii).

Because all remaining parties who appeared in the action signed the stipulation (Doc. 40), it “automatically terminate[d] the action.” *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the Clerk of Court is **DIRECTED** to terminate the remaining motion and close the action.

IT IS SO ORDERED.

Dated: December 14, 2017 )  
 ) /s/ Jennifer L. Thurston  
 ) UNITED STATES MAGISTRATE JUDGE