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

JOHN MICHAEL DEFRENZA,  
  
Plaintiff,  
  
v.  
  
PROGRESSIVE EXPRESS INSURANCE  
COMPANY,  
  
Defendants.

Case No.: 1:16-cv-00736 AWI JLT  
  
ORDER CLOSING THE CASE  
(Doc. 34)

The parties have stipulated to dismiss the action with prejudice. (Doc. 34) Federal Rules of Civil Procedure 41 permits the plaintiff to 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 parties who have appeared in the action signed the stipulation, 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 close this action.

IT IS SO ORDERED.

Dated: February 15, 2018

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE