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8 **Attorneys for Defendants County of Kern,**  
9 **Lisa Green, Scott Tunnicliffe and Charles Brown**

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

12 **JAY WINN,** ) **Case No.: 1:16-CV-01021-DAD-JLT**  
13 )  
14 **Plaintiff,** )  
15 ) **STIPULATION OF DISMISSAL AND**  
16 **v.** ) **[PROPOSED] ORDER**  
17 ) **(Doc. 44)**  
18 **COUNTY OF KERN, a municipality; LISA** )  
19 **GREEN, individually and in her official** )  
20 **capacity; SCOTT TUNNICLIFFE,** )  
21 **individually and in his official capacity;** )  
22 **CHARLES BROWN, individually and in** )  
23 **his official capacity and DOES 1 to 10,** )  
24 **inclusive** )  
25 **Defendants.** )  
26 )  
27 )  
28 )

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, through their respective counsel, that the above-referenced matter be dismissed in its entirety with prejudice. Each party is to bear its own attorneys' fees and costs.

IT IS ALSO STIPULATED AND AGREED that Plaintiff agrees to a full and complete release of all claims in exchange for Defendants' waiver of costs and fees and a forbearance of filing suit against Plaintiff relating to this suit or circumstances described in

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Plaintiff's Complaint.

Respectfully submitted,

Dated: July 24, 2018

MARK L. NATIONS, COUNTY COUNSEL

By: /s/ Andrew C. Thomson \_\_\_\_\_  
Andrew C. Thomson, Chief Deputy  
Attorneys for Defendants

Dated: July 12, 2018

ADAMS, FERRONE & FERRONE

By: /s/ Michael A. McGill \_\_\_\_\_  
Michael A. McGill, Esq.  
Attorneys for Plaintiff

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**ORDER**

The parties have settled their case and have stipulated to the action being dismissed with prejudice. (Doc. 10) The Federal Rules of Civil Procedure Rule 41 makes such stipulations effective immediately with further order of the Court. Because all parties who have appeared in the action signed the stipulation (Doc. 22), 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: July 25, 2018

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE