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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANGEE BURRELL,
Plaintiff,
v.
RUSLAN LOZOVOY, et al.,
Defendants.

Case No. 1:16-cv-01118-AWI-SAB (PC)
**ORDER GRANTING STIPULATION
SUBSTITUTING CALIFORNIA
DEPARTMENT OF CORRECTIONS AND
REHABILITATION AS SOLE DEFENDANT
AND DIRECTING CLERK OF COURT TO
TERMINATE DEFENDANTS LOZOVOY
AND SAO FROM THIS ACTION
PURSUANT TO FED. R. CIV. P.
41(a)(1)(A)(ii)**
(ECF No. 48)

On March 26, 2019, Plaintiff Angee Burrell, Defendants Ruslan Lozovoy and Jeff Sao, and the California Department of Corrections and Rehabilitation filed a stipulation with the Court. The stipulation is signed and dated by Plaintiff and counsel for all Defendants who have appeared in the action.

First, Plaintiff, Defendants, and the California Department of Corrections and Rehabilitation stipulate to substitute the California Department of Corrections and Rehabilitation in place of Defendants Ruslan Lozovoy and Jeff Sao. The Court shall grant the parties request to substitute the California Department of Corrections and Rehabilitation in place of Defendants Ruslan Lozovoy and Jeff Sao.

Second, the parties stipulate to a dismissal of Plaintiff's claims against Defendants Ruslan

1 Lozovoy and Jeff Sao with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii). The
2 stipulation further indicates that each party shall bear its own litigation costs and attorney's fees.
3 Rule 41(a) of the Federal Rules of Civil Procedure allows a party to dismiss some or all of the
4 defendants in an action through a Rule 41(a) notice. Wilson v. City of San Jose, 111 F.3d 688, 692
5 (9th Cir. 1997). In light of the stipulation of the parties, Defendants Ruslan Lozovoy and Jeff Sao
6 shall be terminated in this action, with each party to bear its own costs and attorney fees as they
7 relate to the subject matter of the stipulation.

8 Accordingly, based on the stipulation of the parties, it is HEREBY ORDERED that:

- 9 1. The California Department of Corrections and Rehabilitation is substituted in place
10 of Defendants Ruslan Lozovoy and Jeff Sao for all purposes in the above-entitled
11 matter;
- 12 2. The Office of the Clerk is directed to terminate Defendants Ruslan Lozovoy and Jeff
13 Sao from this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii);
14 and
- 15 3. Defendant California Department of Corrections and Rehabilitation is the sole
16 remaining Defendant in the above-entitled matter.

17 IT IS SO ORDERED.

18 Dated: March 27, 2019

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20 _____
21 UNITED STATES MAGISTRATE JUDGE