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

DUSTIN NEWBY, ) Case No.: 1:16-CV-1233- JLT  
 )  
Plaintiff, )  
 ) ORDER CLOSING CASE  
v. ) (Doc. 17)  
 )  
APPLUS RTD USA SERVICES, INC., )  
 )  
Defendant. )

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The parties agree this matter has been settled and that it may be dismissed. (Doc. 17) Once a notice under Federal Rules of Civil Procedure 41(a)(1) has been filed, an order of the Court is not required to make the dismissal effective. Fed. R. Civ. P. 41(a)(1)(ii); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997). Thus, the Clerk of Court is DIRECTED to close this action as dictated by Rule 41(a).

IT IS SO ORDERED.

Dated: April 5, 2017

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE