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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 CHRISTINA CABRERA, et al.,

12 Plaintiffs,

13 v.

14 UNITED STATES OF AMERICA,

15 Defendant.

Case No. 1:17-cv-00019-LJO-SAB

ORDER RE STIPULATION TO DISMISS
PLAINTIFF CHRISTINA CABRERA'S
CLAIMS

DEADLINE: FOURTEEN DAYS

(ECF No. 22)

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17 On October 18, 2017, Plaintiff Christina Cabrera and Defendant filed a stipulation
18 dismissing Plaintiff Christina Cabrera's claims with prejudice. (ECF No. 22.) Although the
19 stipulation does not specify which Federal Rule of Civil Procedure it is pursuant to, it appears
20 that it is pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

21 Federal Rule of Civil Procedure 41(a)(1)(A)(ii) provides that a "plaintiff may dismiss an
22 action without a court order by filing a stipulation of dismissal signed by all parties who have
23 appeared." Fed. R. Civ. P. 41(a)(1)(A)(ii). Here, the stipulation to dismiss Plaintiff Christina
24 Cabrera's claims is only between Plaintiff Christina Cabrera and Defendant and it is only signed
25 by those parties. There is another plaintiff in this action, minor Josiah Cabrera,¹ and therefore,

26 ¹ The Court notes that Federal Rule of Civil Procedure 5.2(a) states that unless the court orders otherwise, a filing
27 that contains the name of an individual known to be a minor should only include the minor's initials. Federal Rule
28 of Civil Procedure 5.2(h) states that a person waives the protection of Rule 5.2(a) as to the person's own information
by filing it without redaction and not under seal. As Plaintiffs have made multiple filings on the public docket using
the minor's name, the Court will also use the minor's name.

