

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

WONDERFUL PISTACHIOS &
ALMONDS LLC, et al.,

Plaintiffs,

v.

FACTORY MUTUAL INSURANCE
COMPANY,

Defendant.

) Case No.: 1:17-cv-00289- AWI-JLT
)
) ORDER DIRECTING THE CLERK TO CLOSE
) THE ACTION BASED UPON THE PARTIES'
) STIPULATION FOR DISMISSAL WITHOUT
) PREJUDICE
)
) (Doc. 12)
)
)
)
)

Wonderful Pistachios & Almonds LLC, Wonderful Orchards LLC, and the Wonderful Company LLC and Defendant Factory Mutual Insurance Company stipulated to dismiss the action without prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure. Under Rule 41, “the plaintiff may 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 (Doc. 12), 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: May 31, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE