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8 *Attorneys for Plaintiff,*

9 *Sandra Huizar*

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

12 SANDRA HUIZAR,
13 Plaintiff,

14 vs.

15 WELLS FARGO BANK, N.A., BANK OF
16 AMERICA, N.A., COMENITY BANK/ LANE
17 BRYANT, EXPERIAN INFORMATION
18 SOLUTIONS, INC., TRANS UNION LLC, and
19 EQUIFAX INFORMATION SERVICES LLC;
20 Defendants.

) CASE NO. 1:17-cv-00322-LJO-
) EPG
)

) **STIPULATION AND ORDER OF**
) **DISMISSAL WITH PREJUDICE**
) **AS TO DEFENDANT WELLS**
) **FARGO BANK, N.A.**

) **ORDER TO CLOSE CASE**
)
)

21 Plaintiff Sandra Huizar (“Plaintiff”) and Defendant Wells Fargo Bank, N.A.
22 (“WFBNA”) (collectively, the “Parties”), by and through their counsel of record, hereby
23 stipulate and agree that Plaintiff’s claims against WFBNA should be dismissed, with prejudice,
24 with Plaintiff and WFBNA to each bear their own costs and attorneys’ fees. The Parties agree
25 that this Court can proceed to dismiss Defendant WFBNA, with prejudice, from this action.
26

27 *Respectfully submitted,*

28 *Date: December 5, 2017*

/s/

Clark Ovruchesky, Esq.

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Counsel for Sandra Huizar

/s/

Date: December 5, 2017

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Counsel for Wells Fargo Bank, N.A.

1 **ORDER**

2 On December 5, 2017, Plaintiffs and Wells Fargo Bank, N.A. filed a stipulation voluntary
3 dismissal of Plaintiff's claims against Defendant Wells Fargo Bank, N.A. (ECF No. 56). Thus,
4 the claims against Defendant Wells Fargo Bank, N.A. have been terminated, *see* Fed. R. Civ. P.
5 41(a)(1)(A)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997), and dismissed
6 with prejudice. *Concha v. London*, 62 F.3d 1493, 1506 (9th Cir. 1995) ("Even if the defendant
7 has filed a motion to dismiss, the plaintiff may terminate his action voluntarily by filing a notice
8 of dismissal under Rule 41(a)(1)."). Pursuant to the parties' stipulation, Plaintiff Sandra Huizar
9 and Defendant Wells Fargo Bank, N.A. shall each bear their own costs and attorneys' fees.

10 By separate stipulations filed previously in this case, all claims against all defendants
11 have been dismissed. (ECF Nos. 41, 44, 57, 61). Accordingly, the Clerk is directed to close this
12 case.

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14 IT IS SO ORDERED.

15 Dated: December 6, 2017

16 /s/ Eric P. Grogan
17 UNITED STATES MAGISTRATE JUDGE
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